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COOPERATIVE CONSERVATION

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LISTENING SESSION

5

AUGUST 30, 2006

6

IN ENID, OKLAHOMA

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CITY REPORTERS

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REPORTED BY: JILL A. RESETAR, CSR

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MR. SENG: I guess before we begin, I would like to remind everyone if you have cell phones or pagers, to please turn those off to avoid disrupting probably folks around you. And also, this is a wireless mic, and sometimes we've had cell phones disrupt the wireless mic's performance, so we'd appreciate that.

8

I would like to welcome you to the 10th of 24 listening sessions on Cooperative Conservation that resulted from the White House Conference on Cooperative Conservation that was held one year ago in St. Louis, Missouri.

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My name is Phil Seng. I'll be the moderator for today's session.

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We'll formally kick this session off by standing and speaking the Pledge of Allegiance. Will you all please rise.

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(Pledge of Allegiance in unison)

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MR. SENG: Thank you. I'm joined today on the podium by Dr. Benjamin Tuggle to my immediate right, who is the regional director of the US Fish and Wildlife Service, Southwest Region, Region 2.

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And in the middle is Mr. Richard Greene, regional administrator of the Environmental Protection Agency, Region 6.

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And to my far right, Mr. David Tenny,

2 US Department of Agriculture, deputy under secretary
3 for National Resources and the Environment.

4 I would also would like to announce we
5 have a court reporter, Jill Resetar, over here, who
6 is making sure we capture everything you have to say
7 accurately. And Jewel Hayes is our sign interpreter
8 today. I would like to thank them for coming.

9 I would like to start by giving a quick
10 preview of our agenda, the process we plan to follow
11 for today's meeting. First we'll have some very
12 brief opening remarks from the gentlemen here on the
13 podium. And then we'll move right into the reason we
14 came, which is to hear what you have to say on
15 cooperative conservation efforts in this country.

16 And we're going to have a break, a
17 15-minute break at 2:45. And at that time if there
18 are media representatives in the room, you can meet
19 for interviews with the principals in the media
20 rooms, which is directly behind through that door in
21 the corner.

22 The process that we're going to follow
23 and the format of these meetings is designed to let
24 us hear from as many people as possible and making
25 sure that everyone has a fair chance to be heard.

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1 As you came in, you should have
2 received an index card like this one, that should
3 have a number written on it in the corner in magic
4 marker. That number is the order in which we're
5 going to take public comments. If you have a comment

6 to make, we're going to just start at number 1
7 through however many cards we handed out, and give
8 you the opportunity to come to the mic and make your
9 comments upon calling out your number.

10 Please when I do call your number, if
11 you do intend to make oral comments, please come to
12 the mic, that's so everyone has a chance to benefit
13 from your comments and also so that our court
14 reporter can capture accurately what you have to
15 say.

16 When you came to the mic, if you would,
17 please give us your name, spell it, if it's not
18 immediately obvious, again, for the benefit of the
19 transcription, and city and state, where you're from,
20 and if you're representing an organization, please
21 tell us what organization is.

22 If you're not comfortable making oral
23 comments today, there is also written on the card you
24 received contact information from where you can send
25 to either fax, hard mail or e-mail comments so -- or

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1 even if you come to the microphone today, feel free
2 to send your comments that way as well, if something
3 strikes you after you leave the mic, we definitely
4 want to have those comments.

5 And all methods of input are weighted

6 equally. So a person who speaks in the microphone,
7 their comments aren't given any added gravity of
8 weight over someone's who submits it by e-mail or any
9 of the other methods.

10 This is the important part, we request
11 that all speakers who come to the mic today limit
12 their comments to two minutes. That's to make
13 sure -- that's not much time, we understand, let's
14 make sure that everyone has an equal opportunity to
15 be heard and that's also the format that's been
16 followed in all the other sessions around the
17 country, so we want to make sure we follow a
18 standardized format.

19 When you're at the mic, at the
20 two-minute mark, I'm going to try to discretely flash
21 this red card to you. I'm just going to wave it like
22 this. That's your sign to wrap up. I'll give you a
23 few extra seconds after that, but if you're still
24 speaking at two minutes and 30 seconds, I'm going to
25 break in and cut you off.

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1 I apologize in advance for doing that,
2 but my responsibility as moderator really is twofold,
3 first to keep everything moving along so that
4 everyone has a chance to speak, second is to keep us
5 on topic.

6 It's not often that you have a chance
7 to speak to such high-ranking folks as these. And
8 there's many things you could talk about. We would
9 like to limit your comments to Cooperative
10 Conservation.

11 On the back of the card that you
12 received, there is five questions regarding
13 Cooperative Conservation. These questions were
14 generated at the White House Conference. It's
15 really what these listening sessions were designed to
16 do is to take input on these issues. They're very
17 broad issues regarding Cooperative Conservation.

18 So most anything you have to say
19 regarding conservation will fit here. But we ask you
20 that you do stick to those topics. And again, I
21 reserve the right to cut you off if you sway too far
22 from the topics that we're -- that we like to listen
23 to you on.

24 Again, the format of these sessions is
25 a listening session. So we're got going to have --

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1 during your comments, we're not going to have any
2 give and take, we're not going to field questions
3 from the audience. We're mostly here just to hear
4 what you have to say.

5 However, there are some folks in the
6 audience who will be available for questions after
7 the session or at the break if you have any. And I
8 would like to just point those out, so if the folks
9 would please stand or raise your hand when I announce
10 your names so the other folks can see where you are

11 in the audience.

12 First is Jerry Brabander, who is a
13 field supervisor for the US Fish and Wildlife Service
14 in the Oklahoma Ecological Services Field Office.

15 Jerry is there in the back with the
16 white shirt.

17 Chuck Myers with the USDA Forest
18 Service, he's the regional forester from the southern
19 region. There he is.

20 Van Kozac, he's the regional
21 agriculture advisor with the Environmental Protection
22 Agency in the Dallas office.

23 And also Dr. Jonathan Hook, the
24 director of the Environmental Justice and Tribal
25 Affairs office in Dallas. He's seated there in the

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1 back.

2 So if you have particular questions,
3 specific questions, you can address it to any of
4 those folks or those folks can come and point you out
5 to another person if there is more appropriate person
6 to take whatever specific question you might have.

7 At this time I would like to introduce
8 the speakers to give their brief comments and then
9 we'll get into the listening session.

10 Our first speaker, Dr. Benjamin Tuggle,
11 is the regional director of the US Fish and Wildlife
12 Service, Southwest Region. Dr. Tuggle has had a
13 distinguished career with the service having served
14 in leadership positions throughout the organization
15 for 25 years. Prior to becoming regional director,
16 he was the chief of the division of habitat and
17 resource conservation, a position he has held since
18 1997.

19 Dr. Tuggle holds a BS in biology from
20 Fort Valley State College in Georgia and master's and
21 doctorate degrees in zoology from the Ohio State
22 University.

23 Please welcome Fish and Wildlife
24 Service Regional Director Dr. Benjamin Tuggle.

25 MR. TUGGLE: Now that I've been warned

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1 about this podium, it kind of makes me feel like it's
2 as shaky as my knees are.

3 Good afternoon. I want to first say
4 how pleased I am to be able to be here with you
5 today. I certainly appreciate the opportunity to
6 come and talk to the citizens today of Oklahoma.
7 It's an outstanding opportunity not only for myself
8 but also the federal agencies that are represented
9 here. So thank you for invitation and thank you also
10 for your coming.

11 The overwhelming and overarching theme
12 of the listening sessions is to give citizens the
13 opportunity to exchange ideas on incentives,
14 partnership programs and regulations that can improve
15 the results and to promote cooperative conservation

16 and environmental partnerships.

17 This thing fits very nicely with the
18 mission of the Fish and Wildlife Service, which is
19 working with others to conserve and protect and
20 enhance fish, wildlife and plants and their habitats
21 for the continuing benefit of the American people.

22 Oklahoma has been blessed by some of
23 the most unique species and habitats in the nation.
24 The incredible diversity of critters, plants, land,
25 waters and people enrich all of our lives and

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1 contribute to the economic liability of our
2 communities through recreation, tourism and other
3 means.

4 The trick is to strike a balance
5 between protecting and conserving the unique natural
6 resources and minimizing the negative social and
7 economic consequences that may result from
8 conservation measures.

9 That balance can best be struck when we
10 can find a way to communicate, when we can find a way
11 to listen to what those who are impacted by our
12 decisions have to say. It is that balance that we
13 strive for in these listening sessions.

14 With our partnership and landowner
15 incentive programs, such as the partners for Fish and
16 Wildlife, priority stewardship grants, challenge
17 cost -- challenge cost shares and state and tribal
18 wildlife grants, the Fish and Wildlife Service has
19 invested in the idea of collaborative and cooperative
20 conservation.

21 For example, our partners in fish and
22 wildlife have over 125 landowners, 16 outdoor
23 classrooms enrolled in the Garfield and adjacent
24 counties in Oklahoma.

25 These efforts have allowed us to have

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1 approximately 5,000 acres that we've been able to
2 restore, protect and enhance on private lands.

3 But we recognize that there is still
4 room to grow. Some of the best ideas have generated
5 and take shape when you have effective communication
6 with the public.

7 Thus we are here to listen to you and
8 your evaluation of our effectiveness and to hear from
9 you how we can improve on collaborative conservation
10 efforts.

11 As evident by having us here today,
12 cooperative conservation is not only a top priority
13 for the Department of Interior and the Fish and
14 Wildlife Service, but also for our federal partners
15 that are represented here today.

16 I look forward to hearing your comments
17 and also to find out how we can improve our
18 conservation measures throughout Oklahoma and also
19 our nation as a whole.

20 Thank you very much.

21 MR. SENG: Thank you, Dr. Tuggle.
22 Our second speaker is Mr. Richard
23 Greene, regional administrator of the Region 6 of the
24 Environmental Protection Agency.

25 Since his appointment by President Bush
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1 in March of 2003, Richard Greene has led the
2 oversight of federal environmental programs
3 throughout Arkansas, Louisiana, Mexico, Texas and
4 Oklahoma through pragmatic and commonsense approach
5 to the mission of protecting human health and the
6 environment while preserving the economic
7 competitiveness of the region.

8 Prior to this position he served an
9 unprecedented five terms as mayor of Arlington,
10 Texas, during which time his city achieved more
11 progress in the field of environmental protection
12 than any time in its history. At the same time
13 Arlington was recognized for its innovative economic
14 development programs.

15 Mayor Greene holds a bachelor of
16 science degree in business administration and is a
17 graduate of the school of mortgage banking at
18 Northwestern University in Chicago.

19 Please welcome EPA Regional
20 Administrator Richard Greene.

21 MR. GREENE: Thank you, Phil. And good
22 afternoon, Ladies and Gentlemen.

23 I have a sense of wanting to welcome
24 you here, although you all are more native to this
25 area than I am, but as part of Region 6, it is a

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1 sense of pride that I have in saying to an audience
2 anywhere in the region that we're greatly privileged
3 that the Environmental Protection Agency in Region 6
4 have the five best states in the country as part of
5 our region. So it's -- it's great to be in the great
6 state of Oklahoma.

7 President Bush has called upon the
8 Environmental Protection Agency to accelerate the
9 pace of environmental protection while at the same
10 time maintaining the nation's economic
11 competitiveness.

12 And a lot of people believe that that
13 is an assignment that is not only difficult to carry
14 out, but one that is not really possible to achieve.
15 However, I am here to give you a first person
16 confirmation of how well that concept is working.
17 And here is why it works so well.

18 The Environmental Protection Agency's
19 partners throughout the country, all the states that
20 we serve together with in delivering environmental
21 protection to people of our communities, and in the
22 great state of Oklahoma, we're privileged to have one
23 of the nation's best departments of environmental
24 quality with which to work with on an ongoing and
25 daily basis.

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1 In fact, Steve Thompson, who is the
2 executive director of ODEQ is here today. And we
3 work very closely with him and his staff on a daily
4 and ongoing basis. Likewise, in the State of
5 Oklahoma, which is somewhat different than many of
6 the other states, the governor of this state,
7 Governor Henry, has a secretary of the environment
8 who works directly in the governor's office to
9 address environmental interest and needs of the
10 people of Oklahoma. We work very closely with him as
11 well.

12 And then we are also very proud of the
13 partnership that we enjoy with the 37 federally
14 recognized Indian tribes of Oklahoma, all of whom are
15 carrying out the responsibility of environmental
16 protection for the tribal lands that they preside
17 over in the State of Oklahoma.

18 Now, if you expand those governmental
19 entities that are working in partnership with the
20 federal government to industry, and particularly who
21 regulated the industry, then you have a growing
22 number of people who are present at the table of
23 collaboration whose job it is to figure out how to
24 bring all of those interests together and to deliver
25 a result that is both protective of our environment

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1 while at the same time conducive to economic growth
2 and job creation in communities and in the states we
3 serve together.

4 Now, today we're having an opportunity
5 to really do what is the best part of any kind of
6 collaborative work that goes on at the Environmental
7 Protection Agency for sure, but really throughout the
8 federal government, and that's to hear directly from
9 the people of our country and the people of this
10 community and this state today as to what you would
11 like to say to us and for us to hear from you as to
12 how to carry out our assignment of serving you
13 better.

14 And so that collaborative group of
15 people, that begins and ends with the people of the
16 communities that we serve and has at the table of
17 collaboration and -- and -- and participation, all of
18 the entities who have a stake in the work that we're
19 doing is how we achieve environmental protection and
20 at the same time encourage a strong and healthy
21 economy that we're all dependent upon throughout our
22 country.

23 So at the end of the day we wind up
24 with cleaner air, purer water, better protected land
25 and the world's healthiest economy.

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1 And so your input today is going to be
2 very helpful to me and the EPA, the administrator of
3 the EPA and ultimately the president in seeing to it
4 that we are doing our job for you in the very best we

5 way that we can.

6 So thank you for the opportunity to
7 hear from you today and I look forward to your
8 comments.

9 MR. SENG: Thank you, Mayor Greene.

10 Our third speaker is David Tenny,
11 deputy under secretary of the US Department of
12 Agriculture.

13 Mr. Tenny was named deputy under
14 secretary for Natural Resources and Environment of
15 the USDA in October of 2001. He had been -- he had
16 been acting in that position since January of '01.

17 As deputy under secretary, he is
18 responsible for policy relating to programs of the
19 USDA's Forest Service.

20 Mr. Tenny came to this position from
21 the US House of Representative's Committee on
22 Agriculture, where he served as counsel and policy
23 advisor of natural resources and related issues since
24 January of '97.

25 Prior to that he served as counsel for

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1 the US Representative Wally Herger of California.

2 A native of Boise, Idaho, Mr. Tenny
3 earned a bachelor's degree in American studies from
4 Brigham Young University and a law degree from George
5 Washington University.

6 Please welcome Deputy Under Secretary
7 of the Department of Agriculture David Tenny.

8 MR. TENNY: Thank you, Phil.

9 It's -- it's very good to be with you
10 today. I will be honest with you, when my wife
11 learned that I was coming to Enid, Oklahoma, she
12 asked me, "Are there any forests need in Oklahoma?"

13 I said, "I don't think so."

14 I've heard that on the way here from --
15 from Missouri. Then she asked me a much more
16 poignant question, "Why would anybody in Enid be
17 interested in anything you have to say?"

18 My response was, "Well, in all honesty,
19 they probably aren't."

20 But that's not the point, that's not
21 the point of my being here today. The point of our
22 being here today is to listen to you and to hear what
23 you have to say.

24 I'm honored to be seated on a -- on a
25 panel with, excuse me, with two very distinguished

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1 public servants, Dr. Tuggle has been serving the
2 public for more than a quarter of a century, if
3 that's right, and -- and a very distinguished quarter
4 of a century, I might add.

5 Mayor Greene, we call him Mayor Greene
6 because he was a five-term mayor of Arlington,
7 Texas.

8 That's a very difficult job, I'm sure.

9 I probably would never fully comprehend the challenge

10 of -- of that level of public service through that
11 extended period of time.

12 But I'm also very honored to be here
13 with experts who probably collectively have far more
14 information, far more experience, most certainly far
15 more wisdom than we do, and that's you.

16 I'm reminded of an experience I had
17 several years ago in North Dakota. My wife is from
18 that area, my wife's family is from that area. Her
19 family were the great farmers and continue to be in
20 North Dakota.

21 I visited that state and was walking
22 on the land of one of her uncles and I asked him how
23 do you -- how do you do this, it sounds like a very
24 frightening proposition. And he said with a twinkle
25 in his eye, he said, "You plant and then you pray.

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1 And that's how it works."

2 And then he proceeded to tell me a lot
3 about what he did day to day as he managed the
4 resources that he loved.

5 And that's what I feel here today. And
6 that's what I need to hear about from you today. You
7 are the experts at managing the resources that you
8 love. This is your home. And I can't think of
9 anyone that I would rather hear from than you as to
10 how we can do better in the government.

11 Now, a good friend of mine many years
12 ago, it was someone I looked up to a great deal, had
13 this to say, he had a strange saying. He said, "If
14 it moves, salute it. If you can lift it, move it.
15 If you can't move it, well, then paint it."

16 As I've experienced these sessions up
17 to this point, I have felt a great desire to salute,
18 to salute the folks who have come forward with very
19 good ideas about how things ought to be, how we can
20 do better in the management of our natural resources,
21 in the improvement of our economies, in the
22 forwarding of -- of agriculture to resource
23 management for the better of our country.

24 I have also noted that in more than one
25 juncture in our listening sessions, we've heard from

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1 you all that you're trying to decide whether you want
2 to try and lift us or paint us. And I'm not even
3 going to go into the different kinds of colors that
4 we could be painted.

5 But I would say that our intent and our
6 hope is to make it easier for you to work with us.
7 And for us to be more service-oriented toward you.

8 We recognize that there is no reservoir
9 of -- of information, of expertise, of knowledge in
10 Washington D.C. that is greater than what we have out
11 here in the heartland of America. This the reservoir
12 of good ideas. This is where it starts, this is
13 where it works, and this is the future of our
14 success.

15 And so I'm very grateful to be here
16 with you. I look forward very much to what you have
17 to say. I will be taking notes and listening as
18 carefully as I can.

19 And with that, we would simply like to
20 save more time. Thank you for -- for letting us be
21 here, for letting us hear you and for allowing us to
22 enjoy this great part of our country that you call
23 home.

24 Thank you very much.
25 MR. SENG: Thank you.

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1 All right. To the point that you've
2 been waiting for, you can tell us what you have to
3 say about cooperative conservation. For the folks --
4 and for the ones that came in last, I'll briefly
5 redescribe the process.

6 You should have received a card like
7 this that has a written number on it. And I'll call
8 folks in that order to come to the microphones. I'm
9 going to call like numbers one through five. And if
10 you would, just be on deck or you can come and stand
11 in line, if you would, just to make the process go a
12 little faster and make sure everyone has a chance to
13 speak.

14 Please do come to the microphone if you
15 choose to make comments, give us your name and spell
16 it, unless it's immediately obviously how to spell
17 it, tell us what city and state you're from and if
18 you're representing an organization, please let us
19 know what that is.

20 You also can send written comments in,
21 the contact information is on this card. All methods
22 of sending input are weighed equally.

23 We request that you limit your comments
24 to two minutes. At two minutes I'm going to flash
25 this card at you, and that's your signal to wrap up.

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1 If you haven't wrapped up by two minutes and 30
2 seconds, I apologize, I'm going to cut in and cut you
3 off. And that again is to make sure that everyone
4 has a chance to speak.

5 Also, if you really agree with
6 something that someone said at the microphone, that's
7 great, but if you could hold your applause, it's no
8 big deal, but we'll do things faster if you don't
9 applaud any particular comments. I'll leave that up
10 to you.

11 My main job is to keep things moving
12 along, I take that seriously and I'm going to be
13 timing from up here, and so I'll do the best I can to
14 make that happen and I'm going to keep us on top of
15 it.

16 At the invitation of Under Secretary
17 Tenny, Regional Director Tuggle and Regional
18 Administrator Greene, we'd like to ask a couple of
19 tribal representatives to come to the mic and give us

20 the first set of comments and then we'll start with
21 card number 1.

22 First is Jeannine Hale, who is the
23 director of environmental services with the Cherokee
24 Nation.

25 MS. HALE: Thank you very much for

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1 allowing us to speak today. My name is Jeannine
2 Hale, J-e-a-n-n-i-n-e, H-a-l-e.

3 I'm the administrator of environmental
4 programs from Cherokee Nation. We're a tribe that
5 encompasses the original treaty boundary of about 14
6 counties or parts thereof in Oklahoma. And we have
7 about 250,000 citizens who are members of our tribe.

8 Our treaty lands obviously have now
9 been divided up now and we have much reduced land
10 holdings. And that's important because we are very
11 concerned about conservation and our resources, our
12 fish and wildlife, our water. And those things know
13 no boundaries when it come to pollution or impact
14 from activities that are outside of our -- our lands
15 or inside our lands. And so partnerships and
16 collaboration are very important to us.

17 And what I want to do today is give a
18 couple of good examples, but I would be remiss if I
19 painted a completely glowing picture because there's
20 always room for improvement.

21 One of the things I wanted to say was
22 that I think that the federal government in response
23 to the questions can enhance our cooperation in a
24 number of ways with the tribes by ensuring that all
25 the federal agencies have consistent tribal

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1 consultation policies so that we're consulted early
2 on in conservation decisions or decisions that might
3 impact our resources, helping identify gaps in
4 conservation efforts.

5 For example, fish and wildlife
6 conservation, it appears to me that we have had this
7 consistent division of federal agencies between
8 agriculture, fish and wildlife and environmental
9 protection and regulatory functions. The same is
10 true in state agencies. And it seems like what
11 happens in those are gaps that emerge.

12 For example, fish and wildlife
13 conservation efforts that are endangered species or
14 regulatory in nature, I mean, in terms of refuges and
15 those things seem to be not as well funded and
16 addressed.

17 We'd like to see more funding
18 opportunities on supervisory conservation including
19 biological assessments and inventories on tribal
20 lands, ways to help us identify traditional uses,
21 ways to protect -- protect traditional uses of
22 species such as crayfish and muscles, help with the
23 institutional differences in the state and federal

24 level where there's differences in approaches between
25 the regulatory agencies and the agencies that are

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1 focused on resources, because we do have it seems
2 different approaches when it comes working with
3 tribes.

4 The resource agency has worked with us
5 very well, whereas at the state level, the folks who
6 are regulatory in nature sometimes see it as a
7 jurisdictional territorial thing. And sometimes it
8 impedes our efforts. And I'll write this list on
9 comments.

10 Thank you.

11 MR. SENG: Very good. Thank you.

12 Second in Nikki Owings-Crumm, who is
13 the environmental director for the Delaware Nations.
14 She had not arrived yet when we started.

15 Is Nikki in the audience?

16 When she arrives, if someone will give
17 me the high sign? And we'll move on.

18 With that, we'll go to Card No. 1.
19 Will cards 1 through 5 -- is card No. 1 -- any
20 comments?

21 UNIDENTIFIED SPEAKER: No comment.

22 MR. SENG: Two. Card 3.

23 MS. MIG: I am Patricia Mig,
24 P-a-t-r-i-c-i-a, M-i-g. I'm a member of the
25 (Inaudible) of the United States of Oklahoma and

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1 specifically of the local chapter Stillwater,
2 Oklahoma.

3 I'd like to speak with you a little bit
4 today about our position on the environment. I'm
5 sure some of you who have been in these positions for
6 awhile have worked with my league. The belief in
7 itself in the environmental protection and pollution
8 control are responsibilities that shared by all
9 levels of government. It is essential that the
10 federal government provide leadership and technical
11 and financial assistance.

12 You have the major role in setting the
13 standards at the federal level. We want you to
14 continue in that role. We don't want you to move, we
15 don't want to paint you a different color, except
16 maybe spiff you up a little bit. It is important to
17 us that you set the standards. It's also important
18 that you ensure that enforcement of those standards
19 are carried out.

20 It's up to local government, state
21 government, county government to make sure that it's
22 carried out. But if that does not occur, it falls
23 back into the hands of the federal government. It's
24 important that the standards are enforced in a
25 timely, consistently and in a very equitable manner

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1 for all violators and all parts of society including
2 governmental, industry, business and individual.

3 Environmental protection and pollution
4 control including waste management should be
5 considered a cost of providing a product or service
6 by government. Consumers, taxpayers and rate payers
7 must expect to pay more for those costs. The league
8 supports policies that accelerate pollution control,
9 including federal, financial assistance for state and
10 local programs.

11 We were present in the 1970s to work to
12 pass the landmark Clean Water Act. In the 1990s we
13 worked to protect, expand and strengthen it. We were
14 also present for the Clean Air Act in the 1980s. And
15 we pushed for acid rain and toxic controls as it was
16 reauthorized in 1990.

17 If there is any attempt to dismantle or
18 defeat those acts, we will be present.

19 Thank you for your -- for the
20 opportunity to speak today.

21 MR. SENG: Thank you for your
22 comments.

23 Four.

24 KENNINGTON: My name is John
25 Kennington, J-o-h-n, K-e-n-n-i-n-g-t-o-n.

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1 And I'm with the Oklahoma Audubon
2 Counsel. And I'm from Bixby, Oklahoma.
3 I'm from the Oklahoma Audubon Counsel
4 and I represent the 3,000 members of the local
5 Audubon site and chapters throughout the state of
6 Oklahoma.

7 We strongly agree that cooperative
8 conservation is a -- is a great -- is a really
9 wonderful concept and we support these programs. But
10 it's only effective when it's backed up by a strong
11 legislation that we currently have and need to
12 strengthen, such as the EPA's Endangered Species Act.
13 We want to make clear that ESA should not be
14 weakened. In fact, it should be strengthened.

15 For over 30 years the -- the act has
16 served as a safety net for wildlife on the brink of
17 extinction including a number of species right here
18 in Oklahoma. The Bald Eagle is now a common sight
19 throughout Oklahoma, saying thanks to a strong ESA.
20 The Interior Least tern is another endangered species
21 that is protected here in Oklahoma.

22 With Least terns found nesting in the
23 Arkansas River and Tulsa, they have become a favorite
24 sight of runners, bikers, walkers and fisherman that
25 use the river parks area near downtown Tulsa.

0029

1 Those terns would not be present today
2 if it weren't for the protection the ESA has afforded
3 them.

4 The ESA should be actually strengthened
5 and not replaced with an idea like cooperative
6 conservation. Cooperative efforts are important,

7 then again, you don't substitute for a good effective
8 strong law like the ESA.

9 We also urge the administration to
10 honestly present and consider the facts about the
11 ESA. It does not stop (Inaudible). In fact less
12 than one percent of the review projects are ever
13 vaulted. And not all of those are actually numbered
14 in (Inaudible) to the products. And I'll address
15 whatever concerns that may have come up.

16 So the law already addresses concerns
17 about property rights and economic development.
18 Attempting to modify and address those concerns are
19 in fact (Inaudible).

20 And the last point I would like to make
21 is we also would ask the department and Secretary
22 Kempthorne to cancel the plan September lease sale of
23 Teshepuk Lake area in Alaska. This action is not in
24 the spirit of cooperative conservation.

25 For years congress in the interior

0030

1 department and other interested parties have
2 recognized the ecologic importance of this area.
3 (Inaudible) will not solve those problems. It will
4 damage an area that's important wetland in the Arctic
5 and as a resource that is valuable to citizens all
6 over the world including us in Oklahoma.

7 Thank you.

8 MR. SENG: Thank you for your
9 comments.

10 Number 5.

11 MS. NOLAN: My name is Cherrie Nolan,
12 C-h-e-r-r-i-e, Nolan, N-o-l-a-n.

13 I'm from Pratt, Kansas. And I'm the
14 Farm Bill coordinator for the Kansas Department of
15 Wildlife and Parks.

16 We'd like to support the National Fish
17 Habitat Action Plan. We'd also like to support the
18 inclusion of references to the State Wildlife Action
19 Plans. (Inaudible) cooperative conservation
20 legislation.

21 And we further write to the Department
22 of Interior to continue to play a leadership role in
23 the state in ensuring your implementation. And we
24 would like increased funding to support
25 implementation of the State Wildlife Action Plans.

0031

1 We'd urge the administration to include increased
2 funding for state wildlife grants in the next year's
3 budget and to support legislation providing dedicated
4 funding for the mission of preventing wildlife from
5 becoming endangered. Let's be proactive on that.

6 Also, I'd like to see increased funding
7 for environmental programs and be fully funded
8 (Inaudible) program, and wildlife and fishery habitat
9 as coequal resource concerns and programs such as
10 (Inaudible).

11 MR. SENG: Thank you for your comments.

12 Number 6.
13 MR. DRAKE: Thank you. I'm Bob Drake,
14 D-r-a-k-e, Davis, Oklahoma, south central.
15 I've been a farmer/rancher for 42
16 years. I'm the vice president of the Oklahoma Farm
17 Bureau, the chairman of the National Grazing Lands
18 Conservation Coalition.
19 And, Mayor Greene, I'm also on the
20 finest department of environmental quality board in
21 the country. You just complimented our secretary
22 over here.
23 I was at the Cooperative Conservation
24 White House Program. And for those who weren't
25 there, all of the agency heads represented here had
0032
1 their secretaries there plus three others. It was
2 quite a program.
3 Throughout the entire program, the --
4 the focus was on cooperative conservation. Many in
5 this room are (Inaudible) conservation and so forth,
6 but all of us have something in this room to talk
7 about. And we are so glad that you're listening.
8 But when we talk about cooperative
9 conservation, we're talking about the federal
10 government working with and through the local
11 government, working with the tribes, the
12 environmental community, working with the -- the --
13 all of the partners in this room, and there are
14 many.
15 We have to have first, before we can
16 put all these programs together, trust. We must have
17 trust between one another, between the agencies and
18 between our partnerships. And we -- that is the
19 something that you will be hearing a little bit
20 about.
21 As one of the things that we must
22 address is when we have the money for conservation,
23 we have to the people on the ground, the technical
24 assistance on the ground, whether it be for your
25 agencies or another agency. We have to have the
0033
1 people to make these programs operate.
2 If you don't, you will find that the
3 public will jump up and get us if we don't do these
4 things properly. Science based people on the ground
5 to make sure that we carry out the programs that
6 (Inaudible).
7 In fact, we're going to have a program
8 in December in St. Louis and we're expecting about
9 3,000 people. All of your agencies will be
10 represented by the secretary and have a secretary to
11 discuss grasslands and people doing it on the
12 ground.
13 And I thank you very much for this
14 opportunity. And thank you for coming to our great
15 state.
16 MR. SENG: Thank you for your

17 comments.

18 Number 7.

19 MR. KOUPLEN: Thank you all very much
20 for the opportunity to be here. My name is Steve
21 Kouplen, K-o-u-p-l-e-n.

22 I'm the president of Oklahoma Farm
23 Bureau, I'm a member of the American Farm Bureau
24 Board of Directors, a cow/calf producer from Beggs,
25 which is Okmulgee County.

0034

1 Our nation depends upon agriculture
2 producers using their private lands to produce an
3 abundant and safe food buyer and supply. In order to
4 maintain agriculture production in this country
5 farmers and ranchers need to be able to use their
6 private lands freely and not be burdened by
7 unreasonable regulations.

8 Protecting threatened and endangered
9 species can still be accomplished through voluntary
10 incentive based conservation programs.

11 For instance, in Oklahoma after the
12 Dust Bowl of the 1930s, we successfully began
13 voluntarily protecting our soil and water. This
14 voluntarily conservation concept can be applied to
15 protect threatened and endangered species by
16 providing the federal fundings in the states which in
17 turn could work with landowners at the local level.

18 When producers are aware of
19 conservation problems, they are more than willing to
20 make it a local priority. A good example of this is
21 the focus of our local conservation districts that
22 have on (Inaudible) an evasive treaty that rules
23 productive pastures soaks up much needed water and
24 displaces native wildlife.

25 Our organization has taken a proactive

0035

1 role in dealing with different species. The Oklahoma
2 Farm Bureau Legal Foundation has granted a voluntary
3 conservation management plan for the protection of
4 the Arkansas River Shiner in parts of the Canadian-
5 Cimarron River. We're working with landowners,
6 federal, state and local agencies and other like-
7 minded organizations to finalize and implement the
8 plan.

9 It is our hope that this voluntary
10 management plan provide an effort for other
11 (Inaudible) species in Oklahoma.

12 Thank you.

13 MR. SENG: Thank you.

14 Number 8.

15 MR. SIMS: Good morning. My name is
16 Jim Sims, S-i-m-s.

17 And I'm executive vice-president of the
18 Partnership for the West, which is a grassroots
19 coalition of folks in agriculture industry,
20 recreation and private property owners.

21 In addition, my family runs a cattle

22 ranch in northwestern -- or northeastern Colorado. I
23 don't get as much time to saddle as I would like, but
24 it helps keep me a little grounded.

25 Our group is a very broad based group.

0036

1 We've got a little bit of everything, so we disagree
2 on almost everything, except for a few things. And I
3 want to mention those three things today that our
4 group all agrees on.

5 Number one, cooperative conservation
6 works. And if the folks here would indulge me for a
7 couple of seconds, I'll show you why I think the
8 American people believe this. (Inaudible) we have
9 two routes to get conservation, government tells us
10 what we do with our land or the government gives us
11 education and incentives and financial resources to
12 do the right thing.

13 How many people here today think that
14 having the government give us education and resources
15 and money in a cooperative way helps move
16 conservation best? Raise your hand, if you don't
17 mind.

18 How many people think that when
19 government tells us what to do on our private
20 property, that's a better way of getting results of
21 conservation?

22 This is what I get when -- when we go,
23 it's overwhelming. What's you're doing is the right
24 thing. Cooperative conservation and Leadership
25 Secretary Johann and Kempthorne, Administrator

0037

1 Johnson and the CQ and President Bush, you're on the
2 right path.

3 So our group believes that cooperative
4 conservation actually helps people do what they want
5 to do, which is the right thing. They need resources
6 and education, etc.

7 Number two, we believe that two laws,
8 the Endangered Species Act and the National
9 Environmental Policies Act, NEPA, need to be
10 strengthened, yes, I agree, need to be updated, need
11 to be modernized.

12 ESA in its 32 years has done a pretty
13 successful job of keeping a number of species from
14 going extinct. But when congress first passed the
15 law, they had two missions. The other mission was to
16 recover the species. And in 32 years, this law has
17 recovered only one percent of species. It has been
18 99 percent of failure in recovering species.

19 We need to reform this law, make it
20 better to recover species. And that's what our group
21 agrees with.

22 Also NEPA needs to be taken back from
23 East Coast lawyers, and I apologize, Dave Tenny, just
24 because you got your degree out there doesn't mean
25 you're an East Coast lawyer, and put back in the

0038

1 hands of the people so that it works for the
2 environment.

3 Thank you very much.

4 MR. SENG: Thank you. Number 9.

5 MR. EKSTROM: Good afternoon. My name
6 is Jack Ekstrom, E-k-s-t-r-o-m.

7 I represent a Western Business Round
8 Table, a group of business concerns that -- and
9 organizations that produce critical resources that
10 fuel America.

11 I agree with the previous speaker that
12 ESA must add to its focus in addition to listing
13 species, they must be recovered.

14 One of the things that the governor of
15 Colorado has done is he has engaged his own
16 environmental staff to encourage production of
17 endangered species, to encourage breeding of
18 endangered species. I heartily recommend that
19 program to you if you're not familiar with it.

20 One of our member companies, in fact,
21 it's my employer, has done a little bit of
22 conservation work with no incentives and no backing
23 from any other organization. What we've done is
24 (Inaudible) that dedicated over a million dollars to
25 studying how our oil and gas development affects hoof
0039 damage, including elk, mule deer and in addition wild
2 turkey in Southern Colorado, so that we can study the
3 impacts of what's happening.

4 We can take those to state and federal
5 organizations that regulate us and demonstrate the
6 results of what we've done. We've paid for this, we
7 were not encouraged to do it. It was strictly an
8 internal voluntarily program.

9 I would encourage you to find ways to
10 assist corporations and other organizations, public
11 and private, who engage in this kind of activity,
12 help them, encourage them, encourage and support and
13 guide, command and control does not work, cooperative
14 conservation does.

15 Thank you very much for the opportunity
16 to talk to you this afternoon.

17 MR. SENG: Thank you.
18 Number 10.

19 MR. FARISS: Howard Fariss,
20 F-a-r-i-s-s, from Leedy, Oklahoma, Dewey County Farm
21 Bureau. I'm a lifetime farmer and rancher of dairy.

22 I would like to encourage the fact that
23 this conservation program is very much like it was
24 the old soul conservation days, it has done great for
25 our part of the country. And we (Inaudible).
0040

1 We encourage that there be federal
2 funds to engulf sharing and work the private
3 enterprise on this situation. Private enterprise
4 cannot support this program by itself, it's going to

5 have to have some extra funding.
6 I would suggest that the FSA officers
7 (Inaudible) adequate facilities to help administrate
8 this thing and let it be put in implementations by
9 the NRSC. They seem to have the facilities that
10 could probably handle this too, this assistance.

11 Thank you.

12 MR. SENG: Thank you.

13 Number 11.

14 MS. PEEK: Hi. Marla Peek, P-e-e-k,
15 with the Oklahoma Farm Bureau Legal Foundation.

16 Our organization facilitated about 18
17 organizations suing the fish and wildlife over
18 critical habitat for the Arkansas River Shiner.

19 We won our case primarily because the
20 judge said the economic analysis was not done
21 appropriately, that the regional critical habitat in
22 decision was vacated and fish and wildlife then
23 redesignated critical habitat.

24 We got about half of our attorneys'
25 fees back, about \$50,000. And our group and all of

0041

1 our right-minded organizations spent that money on
2 some consultant PhDs, who went out and did some
3 monitoring for us. That monitoring was new science
4 that we provided Gene Solis and they used that when
5 they looped Jupiter's critical habitat lines.

6 But my point is here when our
7 president, that's Steve Couplen, we do have a
8 voluntary conservation management plan for the
9 Shiner, which we're working on finalizing. We know
10 we can't implement this ourselves, we intend to work
11 with several partners to do this. We truly believe
12 in cooperative conservation.

13 We need some organization to these
14 types of things. One thing we found about the Shiner
15 is that there is no consistent monitoring type
16 program for these type of species.

17 Our consultants drew one up and we want
18 the State Coalition Oklahoma to look at it and we'd
19 like to figure out a way to fund it.

20 We also have a private stewardship
21 grant from Fish and Wildlife. And we're working on a
22 perennial stream that flows into the Canadian,
23 through our creek in Dewey County.

24 And we're very concerned about water
25 quantity. And water quantity, of course, is

0042

1 important to people and to species.

2 Thank you.

3 MR. SENG: Thank you.

4 Number 12.

5 MS. JAYNES: My name is Pat Jaynes,
6 J-a-y-n-e-s. I'm from Stillwater, Oklahoma. And I
7 also represent the Audubon Society.

8 The one thing I would like to have you
9 men do for me is to take a message back to

10 Washington. And this message is: Save and approve
11 the Endangered Species Act.

12 Thank you very much for carrying that
13 back for me.

14 MR. SENG: Thank you.

15 Number 13. Number 13. 14.

16 MR. FRALEY: My name is George Fraley,
17 F-r-a-l-e-y, from Chelsea, Oklahoma.

18 I am a board member of the Rogers
19 County Conservation District and have served
20 previously as president of the Oklahoma Association
21 of Conservation Districts and the National Coalition
22 for Abandoned Mine and Reclamation.

23 I am here today to talk about
24 cooperative cooperation and how Oklahoma has
25 accomplished significant amounts of reclamation of

0043

1 the abandoned coal minds through a cooperative level,
2 local, state and federal partnership.

3 Congress passed the Surface Mining
4 Control and Reclamation Act of 1977 to address the
5 public health and safety hazards and environmental
6 problems associated with past mining activities.

7 I live in a county in Oklahoma that has
8 the most acres of abandoned surface mined coal land
9 in the state. And I have seen firsthand the problems
10 that these unreclaimed lands cause.

11 When congress passed the reclamation
12 act, it envisioned a federal-state partnership to
13 accomplish the reclamation. In Oklahoma,
14 conservation district leaders envisioned a federal,
15 state and local partnership to accomplish this
16 reclamation. Our districts successfully worked with
17 state legislature to make our state conservation

18 agency the lead reclamation agency and include input
19 from conservation districts as to how the program
20 would work.

21 So in Oklahoma our local conservation
22 district boards are active partners in the program
23 helping to identify and prioritize the sites needing
24 reclamation, assisting with the landowner contracts
25 and in the case of my conservation district

0044

1 performing revegetation work on the reclamation
2 sites.

3 I believe our reclamation program in
4 Oklahoma is successful because of local unit of
5 government, the conservation districts, the activity
6 involved in how the program is implemented at the
7 local level. When federal and state agencies involve
8 local government as partners, the chance of success
9 is much improved.

10 Our abandoned mine reclamation program
11 in Oklahoma is an example of the successful
12 cooperative conservation model.

13 As the federal agencies represented

14 here today work together improving cooperative
15 conservation in the country, I would like to urge
16 that they look carefully as to how best to engage
17 conservation districts and other local units of
18 government in their programs. Natural resource
19 issues begin and end at the local level and local
20 government needs to be a full partner.

21 Thank you.

22 MR. SENG: Thank you.

23 Number 15. 16.

24 MR. MARLOW: Thank you. My name is
25 Michael Marlow, M-a-r-l-o-w.

0045

1 I'm here today representing the
2 Oklahoma Agribusiness Retailers Association. We're a
3 voluntarily trade organization of the state's
4 fertilizer, agchemical and retail agribusiness
5 industry.

6 Our foremost concern is the
7 implementation of the Endangered Species Act in
8 2006. Policies and regulatory improvements need to
9 be accomplished, then there's opportunities out there
10 for voluntarily conservation efforts to be increased,
11 we believe. We could use better coordination of
12 existing grant programs, ease of application and
13 expediting paid agency reviews. The process is just
14 too daunting for some people, they lose interest
15 (Inaudible).

16 We request the local state and local
17 governments to be improved and recognized and that
18 local management of species recovery efforts, and
19 that its recovery efforts can ensure local
20 involvement and participation to get it done.

21 Successful organizations in
22 conservation have shown us the way in the past, and I
23 believe that there's people out there today that can
24 help us get it done.

25 Critical habitat designations need to

0046

1 have consistent rules, policies and procedure
2 designations. Land and water already protected
3 through other conservation activities should not be
4 burdened with additional layers of bureaucracy
5 through critical habitat designations. The standards
6 for designation, named designated critical habitat
7 and how it is protected must be revised then done
8 practically achievable with agriculture in mind.

9 The administration needs to see the
10 good decision-making and sound science are used in
11 implementing the Endangered Species Act, improving
12 daily requirements for listing petitions and critical
13 habitat designations, making all data available to
14 the public.

15 In closing, we encourage the
16 administration to implement these changes as soon as
17 possible, make it easier for landowners, businesses
18 and public organizations to protect species, respect

19 the needs of private property owners, protect the use
20 of products that are essential for farmers in growing
21 crops and encourage collaborative cooperation and
22 conservation that ultimately and equally benefit
23 communities and species. Sound science preserves
24 agriculture's ability to produce the nation's food
25 and fiber.

0047

1 Thank you.

2 MR. SENG: Thank you.

3 Number 17. Number 18.

4 MR. HERRIMAN: Scotty Herriman, South
5 Coffeyville, Oklahoma, H-e-r-r-i-m-a-n.

6 I would like to welcome you gentlemen
7 to Oklahoma City. Thank you for coming.

8 I'm speaking on behalf of the
9 conservation district here in Oklahoma and the RC&D
10 councils here in Oklahoma.

11 I would like to talk about a
12 cooperative conservation project in Northeast
13 Oklahoma involving the conversion of poultry litter
14 into energy and fertilizer. We have been challenged
15 in Northeast Oklahoma with the issue of too many
16 nutrients in our streams and rivers. Part of the
17 nutrient increase is attributed to poultry production
18 and the land application of the litter. Application
19 of the litter to meet the nitrogen needs of the
20 forage generally results in the over-application of
21 phosphorous, which can then run into streams and
22 lakes.

23 While we have made great strides to
24 implementing nutrient management practices that
25 better control the runoff of litter, there still

0048

1 needs to be a better way to find the uses of the
2 litter.

3 The Natural Resource Conservation
4 Service's Cherokee Hills RC&D Council has come up
5 with a cooperative project in hopes of demonstrating
6 conversion of poultry litter into energy and liquid
7 fertilizer. Our RC&D council has served as the local
8 sponsor of the project.

9 Besides NRCS, we've gathered resources
10 from EPA, Oklahoma Conservation Commission, Oklahoma
11 Department of Agriculture, Oklahoma Center for
12 Advancement of Science and Technology, the Arkansas
13 Soil and Water Commission and the poultry industries
14 in both Arkansas and Oklahoma.

15 It is our hope to demonstrate this new
16 patented technology that we can -- through public and
17 private partnerships that we need to address two
18 pressing natural resources issues, that is the
19 creation of a new energy resource and reduction of
20 nutrients entering in our streams in Northeast
21 Oklahoma.

22 We believe we will create a win-win
23 situation, where we can improve the economy of our

24 area by doing it a way to improve the water quality.
25 I'm proud of the fact that we have a

0049

1 local organization like RC&D council that can partner
2 with the private sector and federal, state and local
3 groups to put together a demonstration project that
4 holds such a promise.

5 I believe this is the type of
6 cooperative conservation project that the federal
7 government needs to be promoting and hopefully those
8 of you here today from the federal government will
9 take the necessary steps to support projects like
10 ours.

11 For projects like this to succeed, we
12 need local conservation leadership like the RC&D
13 council provides to champion the cause.

14 We believe this project is a good
15 example of how cooperative conservation is working
16 today here in Oklahoma.

17 Thank you very much.

18 MR. SENG: Thank you.

19 Number 19.

20 MR. POPE: I'm Clay Pope, C-l-a-y,
21 P-o-p-e. A farmer/rancher from Loy -- Loyal,
22 Oklahoma and I work with the state's conservation
23 districts.

24 It's fitting to be holding one of these
25 hearings in Oklahoma, a state from the days of the

0050

1 Dust Bowl to today has lead the nation in delivering
2 locally led cooperative conservation to help protect
3 and improve our soil, water, air and wildlife
4 habitats.

5 Today, due to the work of the locally
6 led cooperative conservation movement in Oklahoma,
7 the local landowners working with their local
8 conservation districts, our state conservation
9 commission and the NRCS, we today are in the middle
10 of a year drier than anything experienced in the
11 1930s and we're not seeing a new dust bowl. Clearly
12 cooperative approach to natural resource conservation
13 works.

14 Today conservation districts are working
15 not only with our historical partners, but also with
16 the group like the Farm Bureau, the Farmer's Union,
17 our cities, the Nature Conservancy, the Noble
18 Foundation, the Broader Wildlife Community, the many
19 sovereign Native American Tribes in our state and
20 companies like Chesapeake Energy work on Oklahoma's
21 natural resource concerns.

22 Using the trust we've built with
23 landowners through 70 years of voluntary locally led
24 conservation, we feel the conservation districts are
25 the key to connecting program dollars and technical

0051

1 assistance to the landowners. We know the
2 landowners, we are the landowners. We talk to them

3 every day.
4 My message to you is that if you want
5 to get these programs out there on the ground, don't
6 reinvent the wheel, simply hook up to the wagon that
7 is already there by partnering with the delivery
8 system that has served us so well in taming the Dust
9 Bowl and bringing back wildlife and is today
10 addressing issue such as non-point pollution in our
11 state.

12 With this said, I do have to mention a
13 serious problem facing conservation nationally. If
14 landowners are to address natural resource concerns,
15 we must have technical assistance from NRCS locally
16 to help us know what to do. I know a lot about
17 farming, but I need help engineering improvements on
18 my land or what knowing what kind of wildlife work
19 will can be done in cooperation with my agriculture
20 operation.

21 Over the last two years somewhere in
22 the neighborhood of \$500 million of conservation
23 technical assistance money sent to USDA to go to the
24 states has disappeared. Chairman Lucas and others
25 have asked where this went. Nobody seems to be able
0052

1 to answer that.
2 And, in fact, we believe because we
3 asked these questions, USDA saw it fit to remove the
4 best state conservationist in the nation, Darrel
5 Dominick from his position in Stillwater.
6 Everyone from the local level to
7 Governor Brad Henry and the members of deligation are
8 upset about this. We can't do effective cooperative
9 conservation and get rid of the people who specialize
10 in building partnerships. Darrel did this better
11 than anyone. To move him because we asked these
12 questions is a travesty, unless someone is trying to
13 get rid of the conservation delivery system in
14 Oklahoma. Then (Inaudible) like that would make
15 sense.

16 Thank you.
17 MR. SENG: Thank you for your comments.
18 Number 20. 21. 22 through 25.
19 Are you 25?
20 MR. KAYTASKE: 24.
21 My name is Ron Kaytaske. It's
22 K-a-y-t-a-s-k-e. I'm the executive director of the
23 Audubon of Kansas. I live in Manhattan, Kansas.

24 I would like to focus on the
25 environmental quality incentive program. We believe
0053
1 that wildlife needs to be added as a resource of
2 conservation concern in states where it has been
3 precluded because of a lack of leadership.

4 The way to avoid endangered species
5 conflicts in the future is to keep species from
6 becoming threatened and recover already endangered
7 species. Multi (Inaudible) incentive and cost-share

8 practices voted specifically to at-risk species need
9 to be included and (Inaudible).

10 Examples of species in this part of the
11 Great Plains that need special attention include
12 lesser prairie chickens, swift foxes, black-footed
13 ferrets. And an emphasis should be on habitat
14 complexes that support multispecies, such as those
15 provided by protecting (Inaudible) of unfragmented
16 grassland habitat including (Inaudible) prairies
17 important to lesser prairie chickens.

18 And management for special habitats,
19 including the complexes of prairie dog colonies that
20 are important for multiple species including
21 burrowing owls, swift foxes, (Inaudible) hawks,
22 Golden Eagles, Mountain (Inaudible) and black-footed
23 ferrets.

24 I know of at least eight ranchers in
25 Kansas who would be willing to partner with USDA,

0054
1 with Fish and Wildlife Service and other agencies to
2 provide up to 10,000 acres of prairie dog colonies on
3 their land, if there was a program to work with them
4 to do that. And that could be very important for
5 protecting and providing a place for those other
6 species and black-footed ferrets.

7 Also, in terms of -- in terms of EQUIP,
8 I would like to mention that there's some programs
9 that you can scrutinize and take a better look at.
10 Specifically I think that we need to limit any cost-
11 share practices that are ecologically destructive.
12 Aerial and broadcast spraying of herbicides over
13 native grasslands under the guidance of dusting
14 parole is one of those practices.

15 Alternatively more investment in
16 mechanical control, control measures would be
17 preferable. Broadcast spraying destroys the
18 (Inaudible) and other plants species important for
19 long-term productivity and sustainability of native
20 grasslands.

21 MR. SENG: Thank you.

22 MR. KAYTASKE: And they are vital for
23 many wildlife species.

24 Thank you.

25 MR. SENG: If you have additional

0055
1 comments, you can send them in.

2 MR. KAYTASKE: And I have a couple of
3 publications that I like, the aerial spraying problem
4 and then also the importance of preserving tall grass
5 prairie that I'll leave.

6 MR. SENG: You can leave them on the
7 table in the back.

8 MR. KAYTASKE: Thank you.

9 MR. SENG: Number 24. 23.

10 MR. MUNGLE: I have additional
11 comments.

12 MR. SENG: Thank you.

13 MR. MUNGLE: I'm Mason Mungle,
14 M-a-s-o-n, M-u-n-g-l-e, from Atoka, Oklahoma.
15 I'm government relations director of
16 the Oklahoma Farmers Union. Ray Wulf, our president
17 and CEO could not be here today because of prior
18 commitments.

19 The Oklahoma Farmers Union is 100,000
20 members from across the state. I'm a past dairy
21 farmer and cow and calf operator. We have a cow and
22 calf operation in Southeast Oklahoma. I served at
23 one time as the executive director for the
24 Conservation Commission. Here in Oklahoma this
25 coordinates conservation district from across the

0056

1 state.

2 Oklahoma Farmers Union was established
3 in 1905 and has continued to participate in the
4 conservation partnership. Our members are farmers
5 and ranchers, hunters and fisherman who support
6 programs like the Upstream Flood Control Program that
7 benefit many in state, much of our state and
8 citizens. Congressman Lucas passed legislation for
9 rehabilitation of some of these aging structures.

10 These programs should be supported and
11 funded fully for the benefit of wildlife, water for
12 communities, flood and erosion control. We cannot
13 let this infrastructure go like the levies in New
14 Orleans.

15 Farmers and ranchers depend on the land
16 for their livelihood. Cost-share programs that work
17 voluntarily with landowners are critical to soil and
18 water conservation.

19 EQUIP, CSP 319 Section of the Clean
20 Water Act and other cost-share programs carried out
21 by local, state and federal partnerships can achieve
22 the goals. And it has in Oklahoma with one
23 partnership showing a 39 percent increase in water
24 quality by this partnership.

25 Oklahoma has 39 federally recognized

0057

1 tribes. Our concerns with water and air quality
2 standards must include all of these partners.

3 It's ironic that USDA has chosen to
4 participate Mr. Tenny in this listening session
5 because of the recent reassignment of Darrel
6 Dominick. It's our concern that Mr. Dominick be
7 reconsidered as far as his reassignment is
8 concerned. Even though Darrel has submitted his
9 resignation, we request that you reconsider his
10 reassignment.

11 Thank you.

12 MR. SENG: Thank you.

13 Number 24. 24. I'm sorry. 25.

14 MR. THRALLS: I'm Mike Thralls,
15 T-h-r-a-l-l-s, from Billings, Oklahoma. I serve as
16 the executive director with the Oklahoma Conservation
17 Commission, a state agency that works with

18 conservation districts, NRCS and others on
19 conservation issues.

20 Good afternoon, gentlemen, and welcome
21 to Oklahoma, home of Will Rogers, who once commented,
22 "He's the kind of politician who would cut down a
23 Redwood tree, then mount the stump and make a speech
24 on conservation."

25 Credibility, whether with a state
0058

1 agency or a federal agency is always a challenge.

2 Along that line, I would like to tell
3 you a story that applies to questions that you asked
4 regarding this listening session.

5 One of our native son came home a few
6 years ago to -- to head NRCS in Oklahoma. His
7 message and his goal from the beginning was to set
8 the standards for conservation in our country. He
9 went to work strengthening the traditional
10 partnership with conservation districts, RC&D
11 councils and the Commission. More than that, he tore
12 down institutional walls and added additional
13 partners, Native American Tribes, Ducks Unlimited,
14 Departments of Agriculture and Wildlife Conservation,
15 Land Legacy and others. He built a can-do
16 reputation.

17 NRCS under his leadership walked hand
18 in hand with the state addressing water quality
19 issues in Eastern Oklahoma, including nonpoint source
20 319 successes like Beaty Creek, Illinois River and
21 Wister Watersheds. He helped turn Tar Creek
22 Superfund wasteland back to productive pastures.

23 Oklahoma leads the nation not only in
24 the number of flood control dams you heard mentioned
25 earlier, but also in the rehabilitation so that this

0059
1 state can enjoy a flood-protected future. And while
2 he was doing that job so effectively, this Native
3 American state conservationist was honored by USDA
4 nine times over the six years of service in Oklahoma.

5 However, about 20 months ago, technical
6 assistance funds, the money that keeps NRCS on the
7 job, began to dry up even as the appropriations from
8 congress were at record levels. It did not make any
9 sense, so the Association of State Conservation
10 Districts as well the Commission and Congressman
11 Lucas pursued this issue vigorously.

12 NRCS admitted that nationwide they had
13 withheld \$250 million in '05 and beginning of '06.
14 They had withheld this funding from the states.

15 The rewards for Oklahoma's efforts on
16 this issue has been a large influx of funding here at
17 the end of the fiscal year, but at the same time it
18 was accompanied with the forced removal of this
19 master conservationist, Darrel Dominick.

20 I would suggest that your federal
21 agency or any government agency will build
22 cooperative conservation by emulating the example

23 Mr. Dominick, one of your own, has set.
24 You tear it down and are guilty of
25 preaching from the Redwood stump when actions such as
0060

1 this are allowed to stand. If you wish to encourage
2 cooperative conservation, federal agencies must act
3 with integrity. And when injustices such as this one
4 are made known, I would ask that you have the courage
5 to correct the wrong.

6 MR. SENG: Thank you.

7 MR. THRALLS: It caused so many damaged
8 relationships --

9 MR. SENG: Thank you.

10 MR. THRALLS: (Inaudible) Thank you.

11 MR. SENG: 26.

12 MR. SORESENSEN: Yeah. My name is
13 Stephen Sorensen, S, as in Sam, o-r-e-n-s-e-n, Valley
14 Center, Kansas. I'm president of the Kansas Wildlife
15 Federation, the grassroots organization of hunters,
16 anglers and wildlife conservationists. I represent
17 our 1,500 members, also approximately 9,000
18 associates in the National Wildlife Federation in
19 (Inaudible) states.

20 I'm here to express concern about the
21 impact that industrial wind energy facilities can
22 have on both migratory and present wildlife.

23 Kansas has two facilities that are
24 great examples, one located in Montezuma and the
25 other one implemented in Spearville, Kansas. They're
0061

1 placed in primarily croplands and have demonstrated a
2 minimal impact on both native and migratory wildlife.

3 However, we also have one of the worst
4 examples, and that's the wind river -- wind facility
5 near Beaumont, Kansas. It's in the heart of Twin
6 Hills, one of the last remaining segments of the tall
7 grass prairie in the nation. It's having its
8 significant impact upon prairie chickens.

9 It's an 8,000 acre facility, but it's
10 been estimated by specialists that have been studying
11 prairie chickens to maybe impact over 20,000 acres.
12 We would like to see mandatory sighting requirements
13 for future wind facilities and tie those requirements
14 to the production of tax credits. Those facilities
15 such as Montezuma and Spearville (Inaudible) would
16 receive a full benefit of the production tax credits,
17 those such as the -- such as the ones the Delaware
18 River would receive no production tax credits.

19 We also support full funding of the
20 Conservation Reserve Program. We would like to see
21 an increase in funding in the Wetlands Reserve
22 Program and Grassland Reserve Program, both of which
23 have been very beneficial to wildlife. We would like
24 to see funding in an angler's increase. We would
25 also like to see an implementation of the sod saver
0062

1 program in the 2007 Farm Bill to keep CRP from being

2 offset by a newly developed grasslands.
3 Unfortunately in the last five years we've lost two
4 million acres of native grasslands in the Dakotas
5 that have been lands been enrolled in CRP and native
6 grasslands (Inaudible).
7 Thank you.
8 MR. SENG: Thank you. Number 27. 28.
9 MR. SCHROEDER: I'm Troy Schroeder.
10 And that's S-c-h-r-o-e-d-e-r.
11 I'm a landowner/operator from Albert,
12 Kansas. I'm a former wildlife professional and
13 wildlife enthusiast.
14 There were some really good farm bill
15 programs and voluntary programs that came out of the
16 '02 Farm Bill. And I'd like to speak in support of
17 those.
18 The first CRP (Inaudible) the very best
19 wildlife habitat program ever. Therefore, I'd like
20 to see it continued at least at the current
21 enrollment level and in addition allow unlimited
22 enrollment of the continuing CRP collaborative
23 practices.
24 The CP33 wildlife habitat buffer
25 practice made a statement by having a practice with
0063
1 wildlife for its primary purpose. Unfortunately,
2 some of the states have used a lot of acres and
3 therefore aren't allowed to enroll anymore.
4 We need to protect native grasslands by
5 enacting in a sod saver program that would truly
6 prevent any broken sod from being eligible for
7 commodity programs and continuing grassland reserve
8 program to protect native grassland from developing.
9 We need to continue the whip of WRP at least at the
10 levels originally authorized in the 2002 Farm Bill.
11 We need to fully fund the conservation security
12 program and make it eligible for every acre in the
13 nation not just a few watersheds.
14 I think that CFP can truly be a -- a
15 program that would motify -- motivate producers to
16 accomplish conservation including wildlife habitat.
17 And all USDA farm bill programs could be improved by
18 requiring that input from the US Fish and Wildlife
19 Service and the state wildlife agencies be accepted.
20 MR. SENG: Thank you.
21 Number 29.
22 MR. CAUGHLIN: Good afternoon and
23 welcome. My name is Joe Caughlin, C-a-u-g-h-l-i-n.
24 I'm here representing several
25 organizations, but first and foremost I'm proud to be
0064
1 a fourth generation agricultural producer from the
2 north central part of our state. And I'm proud to be
3 a steward of our land and our other great national
4 resources.
5 Currently I'm serving as chairman of
6 the Kay County Conservation District. And I also

7 currently serve on the board of directors of the
8 Oklahoma Wheat Growers Association.

9 I believe we are blessed here in our
10 great nation to already have the great infrastructure
11 in place to facilitate cooperative conservation
12 efforts to our landowners and communities.

13 Local conservation districts provide
14 the opportunity for a diverse group of participants
15 to come together at the grassroots levels to set
16 priorities for the protection of their natural
17 resources.

18 Currently there's an excellent working
19 relationship on the local level between the Natural
20 Resources Conversation Service, the Oklahoma
21 Conservation Commission and local conservation
22 districts. At each and every meeting I attend
23 involving these agencies, cooperation in creating
24 partnerships are the standard.

25 We must build on this progress, we must
0065

1 have the resources and technical expertise available
2 at the local level to administer the valuable federal
3 programs made available to our landowners and other
4 local participants.

5 How can our local federal employees,
6 whether we're talking about NRCS employees or FSA
7 employees, continue to deliver the assistance
8 necessary to implement these expanding programs
9 without adequate personnel and resources to get the
10 needed conservation practices implemented?

11 Again, let us not overlook this
12 valuable partnership which already exists among us
13 and let us continue to look for new opportunities to
14 promote conservation with our neighbors and our
15 friends.

16 Thank you.

17 MR. SENG: Thank you.

18 Number 30.

19 MR. BAKER: Thank you, gentlemen for
20 being here today to listen to us.

21 I'm CB Baker, from Fay, Oklahoma,
22 B-a-k-e-r.

23 Our concern is back to the Arkansas
24 River Shiner under the Endangered Species Act. And I
25 want to compliment the soil conservation for the work

0066
1 they have done over the last thirty years. And this
2 plays in to what has happened to the Arkansas River
3 Shiner.

4 Gentlemen, with the land of red nails,

5 Salina, Oklahoma has (Inaudible) the conservation
6 program (Inaudible) in Western Oklahoma, which took
7 an (Inaudible) by the water out the South Canadian
8 and Washita River. And that is the reason we have no
9 water coming down the South Canadian River. No fish
10 can live without water.

11 And I'm 83 years old. And I was raised
12 on the South Canadian River. I remember when it was
13 a mile wide and was full of water four or five times
14 a year through the summer. We don't have that water
15 anymore. The channels in the river now is
16 approximately from 30 to maybe 70 yards wide at the
17 present time. And the water doesn't flow good enough
18 or enough water left there for the (Inaudible) to
19 propagate. And until that happens, I think it's
20 pushing the boat upstream without an oar.

21 And I have -- we have about 1,300 acres
22 that's river front there. And we are
23 conservationists. Every person in this room is a
24 conservationist. If they own farmland, they're a
25 conservationist.

0067

1 And we will work with you in whatever
2 we can. I'm a member of the Farm Bureau and also
3 with the Oklahoma (Inaudible). And we would like for
4 you to reconsider the Arkansas River Shiner deal on
5 the South Canadian River.

6 Thank you.

7 MR. SENG: Thank you. Number 31.

8 MR. THURMOND: My name is Craig
9 T-h-u-r-m-o-n-d, from Broken Arrow, Oklahoma. I'm
10 here to represent the City of Broken Arrow.

11 I've served on the Tulsa County
12 Conservation District Board for over ten years. I
13 understand the EPS (Inaudible) process and the Clean
14 Water Act. I am a conservationist, but I am a
15 realistic conservationist.

16 I'm currently the vice mayor of the
17 city of Broken Arrow. We're a city of about 95,000,
18 a suburb of Tulsa. As we are trying to develop and
19 look at things as far as the Clean Water Act as an
20 unfunded mandate, although we would prefer to see
21 cooperative conservation working with our local
22 conservation versus a mandated regulation on our
23 taxpayers. But even more important to us, is
24 development of the (Inaudible). The former workforce
25 house is developing. Those issues are really key to

0068

1 our community and growth and development and things
2 like ESA and the (Inaudible) permitting process have
3 affected those.

4 We've had a great amount of money spent
5 in our metro area trying to locate the American
6 (Inaudible) Beetle. And to date to the best of
7 anyone's knowledge, none have not been found. That
8 creates an expense.

9 We have farm ponds that weir structures
10 that discharge water and those water from those
11 man-made farm ponds are determined natural waters of
12 the United States. That too impacts our cost of
13 trying to develop housing and business development in
14 our community.

15 We would like to see more realistic

16 regulations and enforcement of the important parts of
17 the act and not some of the unrealizations that we're
18 seeing.

19 Thank you.

20 MR. SENG: Thank you. Number 32. 33.

21 MR. FOREE: Good afternoon, my name is
22 Carter Foree, F-o-r-e-e. I'm from Oklahoma City and
23 I'm from the Central Oklahoma Home Builders
24 Association and the Oklahoma State Builders
25 Association.

0069

1 Our associations continue to have a
2 positive working relationship with the State
3 Department of Environmental Quality. DEQ continues
4 to make every effort to keep everyone informed in the
5 best management practices in our business.
6 Enforcement is complaint driven.

7 DEQ has had great success working with
8 entities that have had a complaint filed against them
9 and making necessary corrections. There have been a
10 few cases with total noncompliance. When this
11 happens, time is assessed.

12 The DEQ has taken a very proactive
13 position in one case that we are familiar with.
14 Two-thirds of that fine was being used to educate and
15 inform other people in the construction industry on
16 the best management projects of job site.

17 DEQ is using the Central Oklahoma Home
18 Builders Association to help Oklahoma State Home
19 Builders Association in this education process.

20 Our recommendation in this type of
21 community partnership in the education process should
22 be used to continue whenever possible.

23 In Oklahoma County on the Endangered
24 Species we have listed, the prairie dog. Oklahoma
25 County -- the county line has drawn a very fine line,

0070

1 Oklahoma City has some 660 square miles, the land
2 overlaps into five different counties and sometimes
3 administers (Inaudible). I think that some other
4 action should be taken on this endangered species.

5 Thank you.

6 MR. SENG: Thank you. Number 34. 35.
7 36 through 40. 36.

8 MR. ROBSON: Good afternoon. My name
9 is Joe Robson, R-o-b-s-o-n.

10 I'm president of the Robson Companies,
11 the land development company in Broken Arrow,
12 Oklahoma. I also serve as the vice-president and
13 secretary of the National Association of
14 Homebuilders.

15 I know that everybody here today is
16 concerned about the environment. And I'm also
17 concerned about the brunt of the cause of the
18 environmental laws and regulations that fall
19 primarily to the private landowners, builders and
20 developers of this country.

21 Several years ago I had a staff
22 attorney with the Interior Department that told me
23 that I don't own my land, the federal government is
24 just letting me use it for a little bit. That's not
25 the attitude that I would call cooperative

0071

1 conservation.

2 What we need is truly working together
3 to come up with new regulations and new decisions
4 based on science that we can all work together.

5 The two main laws that homebuilders and
6 land developers have problems with are the Endangered
7 Species Act and Clean Water. These statutes are
8 outdated and confusing and the regulations
9 implementing them are the biggest impediments for
10 landowner cooperation.

11 I've got six suggestions that I think
12 this administration is going to take to promote the
13 goals of cooperative conservation.

14 First streamlining permitting
15 processes; second eliminate duplicative layers of
16 regulation; third define key regulatory terms in an
17 understandable and commonsense way; fourth, use real
18 science in any regulations; fifth, eliminate
19 conflicts in the regulations that act as barriers to
20 the landowner cooperation; and finally, create an
21 atmosphere of cooperation and not antagonism

22 I know that myself, as well as the
23 National Association of Homebuilders is anxious to
24 work with all the federal agencies to support and
25 promote cooperative conservation.

0072

1 Thank you.

2 MR. SENG: Thank you.

3 37. 38. 39 or 40. 41 through 45.

4 What number, sir?

5 MR. SUTTLES: I'm number 44.

6 My name is Ron Suttles, that's

7 S-u-t-t-l-e-s. I'm with the Oklahoma Department of
8 Wildlife Conservation. I'm the head of the natural
9 resources section out of Oklahoma City.

10 We are listening to and watching this
11 process and would be very interested in the outcome
12 as you go through your various meetings. And we will
13 be submitting our own comments with the comment
14 period later. Included in those comments will be
15 acknowledgment of some positive things we've seen in
16 the draft cooperative conservation legislation that
17 has been tied to these listening sessions are things
18 we would like to bring to your attention.

19 For instance, review as a positive
20 references to the State Wildlife Action Plans in the
21 draft cooperative conservation legislation. We would
22 like to see increased funding for evolving and
23 implementing these plans. We would like to see
24 increased funding for statewide grants in the next
25 year's federal budget. And on a long-term, we would

0073

1 like to see dedicated funding for the support of the
2 program.
3 We'd also view as a positive provisions
4 for legislatively establishing cooperative
5 conservational programs such as the landowner
6 incentive programs, it has been a very positive thing
7 for working with landowners in Oklahoma.
8 These points and others will be
9 addressed in our formal comments.

10 Thank you.

11 MR. SENG: Thank you. Number 45.

12 MR. PERKINS: Good afternoon,
13 gentlemen. My name is Brandon Perkins,
14 P-e-r-k-i-n-s.

15 I'm a residential developer out of
16 Tulsa, Oklahoma. I'm an 11-year member of the
17 National Arbor Day Foundation. And my partners and I
18 have donated over 250 acres to Land Legacy, which is
19 a nonprofit, which has been valued and assessed at \$1
20 million.

21 I represent my children's American
22 dream. And I believe in conservation. What I want I
23 to talk to you today real quick about is the
24 American's dream in the home affordability for lower-
25 end (Inaudible) families, more importantly centered

0074

1 around the waters of the United States and the Clean
2 Water Act. They are arbitrary in nature for
3 determining what an intermittent stream is. The
4 reclamation should be black and whites, they are
5 not. And like I said, they are interpreted
6 arbitrarily.

7 I personally developed a 40-acre site
8 in Broken Arrow, Oklahoma, where there is an
9 intermittent stream that went through, a hundred
10 yards away from that stream was a farm pond that was
11 built by a farmer in recent years.

12 The Corps of Engineers determined that
13 was navigable and part of the waters of the United
14 States. I was then forced to mitigate the
15 (Inaudible) cost, the cost was in excess of \$50,000,
16 plus I lost one lot, one-quarter acre farm lot.

17 I would like to see how this has any
18 economic or ecological return worth \$50,000 plus a
19 lot, for a quarter acre farm lot.

20 I submit the current regulations
21 surrounding the waters of the United States and the
22 Clean Water Act are not working, are arbitrary and
23 not conducive for any of the economic or
24 environmental development of the American dream.

25 Thank you very much.

0075

1 MR. SENG: Thank you.

2 46.

3 MR. KESSLER: Good afternoon and
4 welcome to God's country.

5 My name is Greg Kessler, K-e-s-s-l-e-r.
6 I live in Stillwater, Oklahoma. I occasionally build
7 a house. My primary -- I am a land developing
8 manager and involved with the DEQ with Home Creations
9 in Oklahoma City, which is depending on what day it
10 is, we are the first and second largest builder in
11 the state. So (Inaudible) is here, we can flip a
12 coin today.

13 Anyway, we're very -- somebody
14 mentioned a large fine, we're the ones that got it,
15 before my time. That's one of the reasons I'm with
16 the company now. We are an Energy Star builders and
17 we spend over \$2,000 on every house to meet -- to
18 help save energy. This year we're planning on
19 building about 700 houses between Central Oklahoma
20 and Tulsa. Our average house is in the affordable
21 range 1,600 square feet and \$140,000.

22 However, one great thing about Oklahoma
23 we have to sell to the rest of the country is we are
24 one of the most affordable housing markets in the
25 United States and we need to keep it that way.

0076

1 Unfortunately, some of the storm water
2 control policies are costing us thousands of dollars
3 per lot to the develop and build our houses, the
4 paperwork and the fees set to us by the state. And
5 the sad thing is that in most cases none of the
6 sediment that is runoff from the rains we receive,
7 ever leaves our sites. So it's just wasted dollars.

8 For example, we spent over \$20,000 last
9 week installing silt fence around a new development.
10 I should buy stock in the silt fence company, I know
11 that. There is competing agencies with different
12 ideas, the Corp of Engineers says do this, DEQ says
13 do this.

14 We're the ones that suggested to the
15 local DEQ that \$30,000 be used to educate people in
16 Central Oklahoma on the soil and conservation ideas.

17 I guess our major -- our major
18 complaint is that we feel that these laws are not
19 evenly enforced, equitably enforced. I can take you
20 to cities in and around Oklahoma City with
21 developments right next to ours, we've got silt
22 fence, grass behind the curbs, thousands and
23 thousands of dollars of preventive maintenance, and
24 the guy next door doesn't have anything, he's got
25 dirt everywhere and (Inaudible). Anyway, that's

0077

1 neither here or there.

2 But we've alleviated most of our
3 problems and -- and we're trying to do it at much
4 lower costs, but we -- it needs to stop somewhere.
5 The DEQ now is forcing it down into the cities, which
6 I have no problem, I get along -- I've established
7 good relationships with all the cities I deal with.
8 But bureaucracy was created, the state is not getting
9 any smaller it's bureaucracy created below is getting

10 bigger. And to me that means they're going to raise
11 the rates and our affordable housing will no longer
12 be affordable.

13 Thank you.

14 MR. SENG: Thank you.

15 Number 47. 48 through 50.

16 MR. SENG: What number, sir.

17 MR. JEANS: 48.

18 My name is Rick Jeans, J-e-a-n-s. And
19 I'm a third generation farmer/rancher from Tonkawa,
20 Oklahoma.

21 I served as the director on the Kay
22 County Conservation District Board, as commissioner
23 on the Oklahoma Conservation Commission. Both of
24 these boards work very closely with federal, state,
25 private and under private and public sector farming

0078

1 to improve environmental protection of Oklahoma
2 conservation resources.

3 Here in Oklahoma we work on the
4 grassroots theory, we listen what the public has to
5 say, do our best through all of our programs with
6 that concept in mind. The commonsense approach to
7 voluntary programs helps the Oklahoma partnership
8 succeed.

9 Today we're here to discuss cooperative
10 conservation. In the last few years the cooperation
11 of conservation in Oklahoma has reached monumental
12 heights. Through the leadership of Oklahoma, NRSC,
13 state conservationist Darrel Dominick, The Oklahoma
14 partnership has grown stronger than ever. The
15 conservation family took the 2002 Farm Bill, put
16 conservation on the ground and made it work.
17 However, due to the past NRSC's Chief Bruce Knight's
18 mystery of the formula, the Oklahoma budget was cut
19 deep.

20 When the Oklahoma partnership
21 questioned these cuts, Congressman Frank Lucas helped
22 us try to get answers, but to no avail. Then a few
23 bureaucratic and political appointees decided that
24 the NRCS leader -- leader of cooperative conservation
25 for Oklahoma needed to go and forced Darrel Dominick

0079

1 to leave his position as state conservationist.

2 Never in the history of Oklahoma
3 conservation, have more conservation, agricultural
4 and tribal groups came together to fight USDA over
5 this outrageous injustice. Even our own Oklahoma
6 Secretary of Agriculture Terry Peach would love to go
7 to Washington DC to discuss this matter with
8 Secretary Johanns.

9 We may have lost this battle, but I can
10 assure you the war is not over. If USDA wants build
11 cooperative conservation with Oklahoma partnerships,
12 they need to learn to treat people fair, provide
13 accurate information and remember to work with people
14 they serve.

15 Thank you.
16 MR. SENG: Thank you.
17 Excuse me. It's now 2:45 and we're
18 scheduled to have a break at 2:45. And this is an
19 opportunity for media representatives to interview
20 principals who are in the back. So we're going to
21 break for 15 minutes.
22 (Short break)
23 MR. SENG: Okay. Thanks for coming
24 back. I wanted to -- a couple of little housekeeping
25 details to cover before we begin. I just wanted
0080
1 recognize that we have some Washington DC district --
2 Washington DC and district staff from Senator
3 Inhofe's office here. Can you raise your hands
4 wherever you are? They are in the back.
5 And we also have some district staff
6 from Senator Coburn's office. Are they in the room?
7 They must be outside. We appreciate them coming.
8 And also we have another resource person
9 if you have questions regarding water or water
10 science, we have Kim Quinton, who is the chief of the
11 Oklahoma Water of Science Center. Kim, where are
12 you? Is she back there? She can be called upon as
13 the resource person if you have questions along those
14 lines.
15 There are several tribe representatives
16 that we have that we would offer to make comments and
17 some of them weren't here at the beginning. So I
18 would like to offer them the opportunity. First is
19 Nikki Owings-Crumm, who is the environmental director
20 with the Delaware Nation.
21 MS. OWINGS-CRUMM: Good afternoon. And
22 thank you for having me speak here and giving the
23 tribes the opportunity to speak at this. John Ludwig
24 asked me to come up here and give a talk on our
25 partnerships with Caddo County Commissioners, the
0081
1 City of Anadarko, Apache Tribe and Caddo Tribe in our
2 county.
3 And what we're doing is partnering with
4 them on recyclable and solid waste program, offering
5 the rural community an alternative to trash service
6 instead of dumping in streams and creeks and wherever
7 they can. We're providing them a service for \$20
8 dollars a month. They will be able to have
9 (Inaudible) come and pick up their trash once a
10 week.
11 We've partnered with these other
12 entities to help them with their recyclable. We've
13 already outgrown one area and we're at another area
14 right now. We're seeking fundings to get a bigger
15 facility to give us an opportunity to have a better
16 recyclable program and give the community a better
17 alternative to (Inaudible) and giving them the base,
18 some base where they can bring all their recyclable
19 instead of damaging the environment and our streams

20 (Inaudible).

21 Do you have any questions or anything?

22 MR. SENG: People can get with you after
23 the meeting if they have any questions.

24 MS. OWINGS-CRUMM: Okay. Well, I sure
25 do thank you.

0082

1 MR. SENG: Thank you for your comments.

2 And then we have Christen Creson, who
3 is the environmental director with the Wyandotte
4 Nation. Christen.

5 MS. CRESON: Thank you all for letting
6 us be here today. My name is Christen Creson and I'm
7 a member of the Wyandotte Nations. It's a small
8 tribe in Northeastern Oklahoma. And we're also one
9 of the Native American tribes concentrating on the
10 Tar Creek Superfund site, which I'm sure most of
11 Oklahoma is aware of.

12 I'm happy to be here to (Inaudible)
13 industry and other agencies that care about our
14 environment. We're very happy to work with the EPA
15 and the (Inaudible) grants. We also -- especially
16 water conservation and quality. We also work with
17 other agencies such as USGS in monitoring. Currently we
18 do not have any projects with NRCS or USDA, but we
19 did meet with them last week on trying to get some
20 fundings, possibly for protection of our (Inaudible)
21 sources.

22 I've heard several comments today about
23 the Endangered Species Act and Nonpoint Source
24 Polluting comments. This is something that we are
25 excited about working together with as a tribe, some

0083

1 of the members have mentioned they have (Inaudible)
2 EPA. And I hear (Inaudible) who also work with Fish
3 and Wildlife on that and we're happy with the new
4 coordination. We were able to deal with that and
5 continue our programs.

6 I'd also like to mention the following
7 discussions about water quality and point source
8 polluting, that we need to remember that water have
9 no bounds and when you gentlemen go back to
10 Washington and talk about our concerns to please
11 remember that we need this information spread to the
12 states above us where some of this pollution is
13 coming from.

14 And again, I'll be here afterwards if
15 anybody has any questions about the Wyandottes. And
16 I'm very happy to be here.

17 Thank you.

18 MR. SENG: Thank you.

19 Folks in the back, is it possible to
20 close those doors or ask the folks in the lobby to --
21 coax them back in here.

22 And final announcement, Under Secretary
23 Tenny and Mayor Greene have to leave to catch a
24 flight at 3:30, so they will have -- we will make

25 available transcripts of the meeting after that so
0084

1 they'll be able to review any comments that are made
2 after they leave and they'll have a person who is
3 representing them at that time.

4 Number 49, if you please. Thank you
5 for patience.

6 MR. STUNKARD: That would be the same
7 number as my age on that card, Number 49.

8 My name is George Stunkard,
9 S-t-u-n-k-a-r-d. I'm from Coweta, Oklahoma. And I
10 serve as Chairman of the Oklahoma Conservation
11 Commission.

12 I certainly want to thank our guests
13 here today, our federal partners. And if I can
14 borrow a book from one of my favorite actors, Wilford
15 Brimley, this is as it should be for you all to come
16 to the countryside and grassroots to get input is
17 great. And I read a conservation book of (Inaudible)
18 ten years ago, 15 years ago. This is as it should
19 be.

20 As chairman of the Oklahoma
21 Conservation Commission, we offer you
22 conservationists nothing new. It's something we've
23 (Inaudible) for years. As a matter of fact, we work
24 with each one of your agencies as partners, we work
25 with the Department of Interior and the (Inaudible)

0085
1 Commission (Inaudible).

2 We mentioned before, and I'll try not
3 to mention (Inaudible) recognition. Also with
4 Mr. Greene with the Environmental Protection Agency
5 and the nonpoint source pollution. We've had 30 year
6 working relationship. Also with Mr. Tenny with the
7 Department of Agriculture and our work the NRCS, our
8 federal partner with conservation.

9 The message, the primary message I have
10 here today is that cooperative conservation has been
11 working in Oklahoma. The old adage of If it ain't
12 broke, don't fix it, I would just like to revise that
13 a little bit and say as (Inaudible) improve on it,
14 because there's a lot of work to be done. And like I
15 said cooperative conservation (Inaudible) paramount
16 with the conservation commission and the federal
17 partners and the local conservation districts. And
18 the lists goes on and on in the other departments,
19 the tribes, (Inaudible), Chesapeake Energy in
20 Oklahoma, their list goes on and on.

21 What my recommendation would be is
22 let's build on a future to continue the effort, the
23 group of partnerships but move ahead.

24 Thank you again for being here.

25 MR. SENG: Thank you.

0086
1 Number 50.

2 MR. WUERFLEIN: My name is Richard
3 Wuerflein, W-u-e-r-f-l-e-i-n. I live in Kremlin,

4 Oklahoma, down on just outside of Enid.
5 A lot of comments are my own are as a
6 farmer, but my background is I served as a
7 conservation commission director of the Garfield
8 County Conservation District for over 15 years. I
9 also represent conservation interests with the
10 Oklahoma Department of Quality Board.
11 The first thing I would like to stress
12 is the program needs to be voluntarily. In this part
13 of the country it's privately owned rural land and
14 the best way to get things done is through
15 voluntarily cooperation. Regulation of mandates,
16 (Inaudible) property rights and property (Inaudible)
17 voluntarily. And it needs to be funded. Any
18 regulation that comes down from Washington DC should
19 be not funded mandate, but funded.
20 Our cost-share carrier has been quite
21 successful. My biggest complaint is that the cost-
22 share rates need to be updated to meet the current
23 cost of energy and cost of production. But we have
24 25/75 cost-share with the set federal compliance
25 rate. Our cooperation rates end up costing the
0087
1 landowner about 50/50. So it's not quite as
2 lucrative a deal as some majority (Inaudible) seem to
3 think.
4 The biggest thing to getting
5 conservation on the land in rural American is
6 profitability. That means we need to have programs
7 not only for cost-share and conservation, but the
8 commodity programs are very important, the rural
9 development programs are very important. The
10 infrastructure programs for rural telephone and
11 Internet are very important.
12 When a farmer makes money, he puts his
13 profits back into improving the land. I'd like to
14 stress I think we do have very good cooperation, our
15 (Inaudible) cooperate with Fish and Wildlife on the
16 Red Lakes project, we also in the district have
17 worked with Ducks Unlimited.
18 The loss of Darrel Dominick -- I think
19 the cooperation has improved over many years. The
20 loss of Darrel Dominick kind of puts -- sets us back
21 into -- somebody was actually working to do what you
22 want to do, was not getting -- is taking the heat.
23 At a local district level we were out pushing
24 (Inaudible) getting technical assistance funding, we
25 pushed Darrel Dominick to push Senator -- Congressman
0088
1 Lucas, excuse me. And for that worked its way up the
2 chain and that was the consequences that we -- we do
3 miss the loss of Darrel.
4 Thank you.
5 MR. SENG: Thank you.
6 Number 51. 52. 53 through 55.
7 What number, sir?
8 MR. ELMORE: 54.

9 Good afternoon. My name is Dwayne
10 Elmore, E-l-m-o-r-e.
11 Oklahoma Cooperative Extension Service,
12 OSU, Stillwater, Oklahoma. As a wildlife biologist
13 I'm certainly encouraged by this diverse audience
14 that we have here today, it definitely reflects the
15 importance that Oklahoma places on (Inaudible) like
16 cooperative conservation or collaborative
17 conservation, the grassroots, whatever we want to
18 call it, the bottom line is it works. It's been
19 proven time and time again across the nation.
20 Having moved here recently from the
21 Anadarko west working with (Inaudible) for the past
22 four years, I can tell you that I've witnessed
23 firsthand the power of cooperative conservation,
24 (Inaudible) knowledge of species conservation, but
25 also in building local ownership and getting people

0089

1 excited about conservation, that they actually have a
2 voice, and those people that are most directly
3 influenced by decisions at the national level.

4 And this is the great strength in what
5 we're talking about is that really it's a bottom-up
6 approach, it's not top down, it's not regulatory. So
7 while I'm very encouraged at the federal government's
8 increase and desire to have a role in this and part
9 of the strength in it, I think a big caution we have

10 is that it still remains a bottom-up approach.

11 So how do we do that, there's lots of
12 incentive based programs that are out there that they
13 talk about today such as (Inaudible) and ERP. Great
14 programs broad in scope, short on money is the bottom
15 line. We need more dollars for programs like this.

16 I believe also landowners want to do
17 good things for wildlife, they get involved in large
18 economic constraints to make this happen in reality.
19 A gentleman earlier mentioned about the ESA that
20 regulation is very good at preventing species
21 extinction and also good in recovering species. He
22 stole my line. I use that all the time. He's
23 absolutely right.

24 The regulation in ESA has done a lot of
25 good for people that feared the ESA. And fear is a

0090

1 very poor motivator for conservation. Some of the
2 encouraged methods to take back is increased funding
3 and incentive based approaches. And there's lots of
4 groups out there that are trying to do things like
5 this, like cooperative extension services, which
6 already a mechanism in place, RREA, Renewable
7 Resource Extension Act, grossly underfunded, but has
8 a great capacity in doing things.

9 Thank you again for your time.

10 MR. SENG: Thank you.

11 55.

12 MS. HOUCHIN: Hello. My name is Rachel

13 Houchin, H-o-u-c-h-i-n. I'm from Stillwater,
14 Oklahoma. And I'm the primary investigator in our
15 Renewal Resources Extension Act for Oklahoma State
16 University Cooperative Extension.

17 I'm going to expound a little bit on
18 what Dwayne told us about. Extension is the conduit
19 that already exists for these cooperative
20 conservation agreements. And he's exactly right,
21 funding is the lack there, that's the thing that we
22 need. And that's the place where the federal
23 government can step in and help and really make a
24 huge difference.

25 I've worked on a lot of different

0091

1 cooperative agreements and cooperative partnerships
2 with other states, federal and not-for-profit
3 organizations. And every time it's a search of
4 funding.

5 RREA was started over 30 years ago.
6 And it's got a federal allocation of \$30 million, but
7 the most money it's ever received is 4.5 million and
8 that was in 2003. Right now we're in about \$4.19
9 million. And that resulted in \$66,000 per state,
10 which isn't a lot of money if you think about it.

11 It would not take a lot of money to
12 increase the RREA funding per state when you look at
13 the federal expenditures, you could just double the
14 RREA budget and make a huge difference in the state's
15 funding and you're still not anywhere close to their
16 allocation.

17 That's what I have to say. Thank you.

18 MR. SENG: Thank you.

19 Number 56.

20 MS. FAHLE: My name is Pauline Fahle,
21 F-a-h-l-e, from Taloga out in Dewey County in Western
22 Oklahoma.

23 I serve as chair of the Oklahoma
24 Association of Resource Conservation and Development
25 Councils. And they cover all 77 counties in

0092

1 Oklahoma. The RC&D councils seek to enhance the
2 standard of living of rural Oklahoma through proper
3 conservation and utilization of our state's natural
4 resources.

5 During the last two years, the nine
6 RC&D councils have directly facilitated 435 new jobs
7 from 43 industries representing new investment in
8 Oklahoma exceeding \$251 million.

9 The councils have assisted over 7,300
10 economic and socially disadvantaged in this state,
11 held 172 workshops and training sessions and have
12 wildlife habitat projects covering over hundred
13 thousand acres.

14 The RC&D councils facilitate the
15 expenditure of \$10 million in the emergency water
16 shed protection money and the 90 different sites all
17 across Oklahoma protecting over \$50 million in public

18 and private property.

19 These accomplishments have been made
20 possible because Oklahoma has a strong cooperative
21 conservation partnership that works. That
22 partnership includes many state and federal agencies
23 as well as nonprofit associations and organizations
24 including NRCS, Rural Development, Oklahoma
25 Conservation Commission, Oklahoma Association of

0093

1 Conservation Districts, Department of Environmental
2 Quality, The School Land Commission, private
3 organizations, Oklahoma Department of Commerce, state
4 and federal fish and wildlife agencies.

5 All of these organizations work
6 together collaboratively to bring about the programs
7 in Oklahoma. We urge you to continue to provide
8 programs at the federal level, which will allow these
9 partnerships to continue to provide services in rural
10 Oklahoma.

11 Thank you.

12 MR. SENG: Number 57.

13 MR. HOUSE: Steve House, Watonga,
14 Oklahoma, H-o-u-s-e.

15 Thank you gentlemen for being here
16 today. I'm with the conservation districts. I'm
17 also a dairy farmer.

18 I want to speak today about -- you've
19 had plenty of people speak about Darrel Dominick and
20 the conservation districts, I just want to speak to
21 you about personal concerns and what my way of life
22 is. And whenever we make decisions at a higher
23 level, they affect people. And I've seen changes in
24 state since 1950 when I was born. Everything has
25 changed and will continue to change.

0094

1 As the government, as its leaders, you
2 need to understand that change is what you're all
3 about. Leaders should lead and let people live their
4 lives, provide the expertise that you can with the
5 rules and regulations, let us be concerned with our
6 conservation, our living and the things that help us
7 (Inaudible) too.

8 Cooperation conservation, these are
9 things that we have to listen, first thing we do
10 whenever we're upset with something is we have to
11 listen first so we can find out what the solution
12 is. So I appreciate you all coming here today and
13 remember, listen.

14 MR. SENG: Thank you.

15 All right. At this time several of our
16 principals have to leave to catch a plane, but they
17 want to make some closing comments.

18 Mayor Greene, if you're ready to come
19 to the podium.

20 MR. GREENE: Thank you, Phil. I'm
21 going to take about one minute, because the audience
22 needs the rest of the time that's available.

23 Let me tell you how much I appreciate
24 the opportunity of participating in hearing from you
25 today. And those of you who have spoken and those of
0095

1 you who have not and then a number of people have
2 left, have left me with two really primary
3 impressions.

4 One is that this opportunity is very
5 important and very useful and I think very
6 productive. And I think that what we have heard over
7 and over is very encouraging because you have said to
8 us we stakeholders here at the local level are
9 prepared to guide and direct our destiny to the right
10 place that we can do conservation, we can do the
11 environmental protection, we can do economic growth,
12 what we need from our government officials is
13 support, resources, funding, education and help. And
14 then get out of our way so that we can get the real
15 work done and accomplish the results that are in the
16 best interest of the people of our communities.

17 And I've heard that message and I
18 happen to embrace it totally. That's my own
19 background in being a local official. And so I hope
20 that my voice in the federal government's discussion
21 will be true to what you all have said to us today.

22 So thank you for coming and thank you
23 for the opportunity. I'm going to exchange my two
24 ears for four that will remain here at the rest of
25 the meeting with you in the next 30 minutes or so.

0096

1 I've mentioned earlier Steve Thompson,
2 who is the executive director of the Oklahoma
3 Department of Environmental Policy is here. He's
4 been here all day, he'll stay through to the end.
5 And as partners, he will let me know what I missed by
6 having to leave to catch that plane.

7 As I mentioned to you as well, the
8 secretary of the environment, his name is Miles
9 Tolbert, and he came in a little after my opening
10 comments, but Miles is also here from the governor's
11 office.

12 And these are the two state partners
13 that I mentioned earlier that work so effectively and
14 so well with the EPA, because they're the ones who
15 direct our work in the local communities of this
16 great state, that hopefully will be a great benefit
17 to you.

18 So Miles and Steve will continue to
19 listen for me. And we will communicate tomorrow and
20 I will get any information that I missed directly
21 from these two very good men and representatives of
22 your state.

23 And if they could join us up here or
24 they can stay where they are, that's fine. We're
25 kind of all in this informally and together.

0097

1 So thank you all again for your

2 attendance and your participation today
3 MR. SENG: Under Secretary Tenny, any
4 comments?
5 MR. TENNY: Well, I too am grateful to
6 have been here. I don't want to leave without
7 addressing one point. And I think it's important. I
8 don't see Mr. Robson here. He may have left. But
9 will someone tell him that an attorney from the
10 Department of Agriculture told him that it's your
11 land, not ours, and that our job is to help you just
12 enjoy it, consistent with the conservation ethic that
13 you hold because we believe in it.

14 If someone would carry that message
15 back to him, I would appreciate it. I would love to
16 be able to speak on behalf of the Department of
17 Interior, I think I probably can, I think I can.
18 Because I think that's really the position that our
19 federal government ought to take. And I believe it's
20 one that I consistently hear.

21 The second thing I want to let him know
22 is that I've identified by the things he had to say.
23 I will note that there are certain points where there
24 may be some disagreement and that's okay.
25 Disagreement is sometimes a very important part of

0098 cooperation. But I also note that there are lots of
2 solutions. And I think that what we are hearing from
3 you are solutions.

4 When I go back to Washington, I'm going
5 to report to the folks that I work with that we have
6 heard some very, very good ideas about solutions and
7 that what we can spend a great deal of our time on
8 would be of most benefit to you all is to work
9 together and set our priorities and our goals and
10 objectives and allow the solutions or how to reach
11 those objectives that come from the folks who are
12 best situated to do so, and that's you.

13 So we appreciate it very much. And we
14 appreciate your wisdom and we appreciate your
15 enthusiasm and your vision for the future. We want
16 to make sure that the work that we do, that
17 Oklahomans determine the future of Oklahoma and that
18 the natural resources and the air and the water and
19 the other resources that you view as part of your
20 home, that you care about, that you manage or that
21 you attend to, continue to be yours, and that you
22 continue to have your future in your own hands.

23 Thank you again very much for letting
24 us be here. And we look forward to continuing these
25 sessions. And I look forward to hearing more as we

0099 move forward.

2 I will note that Chuck Meyers from the
3 Forest Service, our leading forester is here. He
4 will replace me as our representative as we continue
5 on with this listening session. I will have Chuck
6 come up here or stay where he is, but he will be here

7 to listen.
8 Thank you very much.
9 MR. SENG: If we could have the
10 replacement representatives come up to the front. I
11 think that would be appropriate, if you don't mind.
12 Thank you.
13 We'll continue now with No. 58. 59.
14 How about 60 through 65. 66 through 70.
15 What number, sir?
16 MR. SENG: 66. Thank you.
17 Thank you all for coming. I am
18 currently chairman of Wheatland RC&D. It's a 501C3.
19 MR. SENG: Your name, please.
20 LOCKET: Jeff Locket with Wheatland
21 RC&D, L-o-c-k-e-t-t.
22 I'm currently the chairman of Wheatland
23 RC&D. We're a 501C3. We have 55 members. We're a
24 locally led group. We facilitate some of the
25 projects that Pauline alluded to throughout the
0100
1 state. Our ten-county region is North Central
2 Oklahoma.
3 Some of the projects that we have
4 facilitated that Pauline was talking about impact
5 through Oklahoma are one is a Red Cedar Project. We
6 go out, we cut Red Cedar down, we (Inaudible) with a
7 hammermill operator and (Inaudible). And this
8 project was made possible by all partnerships, all
9 the partners here. We take that Red Cedar, we add it
10 to our coal, we get a higher BTU rate and we produce
11 more energy.
12 These are some of the projects that the
13 RC&Ds facilitate. Our partnerships have occurred
14 with most of the USDA agencies, if not all of them.
15 FSA, NRCS, Rural Development, they've all been
16 partners at that table. The conservation districts,
17 the conservation commissions, all of those things are
18 made possible by that partnership.
19 One of the pieces that we lack this
20 year was our technical assistance fund. The
21 technical assistance money is necessary for us to
22 facilitate these type of projects. So if any message
23 I could give you is that hopefully you all will be
24 accountable to Oklahoma on our technical assistance
25 funding so we can further these projects.
0101
1 The pieces are put in place, all we're
2 asking is just let us do our job and provide us with
3 our technical assistance.
4 Thank you very much.
5 MR. SENG: Thank you.
6 67 through 75.
7 What number, please?
8 MS. WYCHERT: 74.
9 MR. SENG: 74. Thank you.
10 MS. WYCHERT: I am Clara Wychert,
11 W-y-c-h-e-r-t, chairman of the Oklahoma Farm Bureau

12 of Women. I represent farm and ranch women all over
13 the state of Oklahoma. I also am a farmer. I live
14 in Northwest Oklahoma in Fairview. And I have wheat,
15 cattle and alfalfa.

16 I would like to take this opportunity
17 to stress the need for voluntarily incentive based
18 conservation programs. There also needs to be a
19 federal funding to the states to implement these
20 programs to the local area like Fairview, Oklahoma.

21 Thank you.

22 MR. SENG: Thank you.

23 75 through 80.

24 MR. GRAUMANN: 78.

25 MR. SENG: 78.

0102

1 MR. GRAUMANN: My name is Dean
2 Graumann, G-r-a-u-m-a-n-n.

3 I've had the very pleasant task of
4 addressing you gentlemen about our cooperative
5 conservation program that's working very well in
6 Oklahoma. It's been very enjoyable for me to be part
7 of the group known as SPARC, Southern Plains
8 Agriculture Resources Coalition. SPARC is the
9 brainchild of Larry Wright, who is directing as RC&D
10 coordinator.

11 And the organization was formed to
12 promote much of the farming in Oklahoma. We have
13 several partners, National Resources Conservation
14 Service, the USDA, The Oklahoma Department of
15 Agriculture, The Oklahoma Conservation Commission,
16 OSU (Inaudible), The Nobel Foundation, Plains Grains,
17 (Inaudible). Our total partners equal approximately
18 25.

19 Through our research we've been able to
20 prove that much of the farming improves the soil,
21 improves the quality of the water, improves the
22 quality of air. We're in the process now of -- we've
23 just receiving a \$50,000 grant from the government.
24 We're going to market our products as environmentally
25 friendly, it's to benefit not only producers but

0103

1 (Inaudible).

2 I have the unpleasant task of talking
3 to you about Mr. Dominick's situation that has been
4 discussed over and over here. I'm a conservation
5 director for the county in Southwestern Oklahoma. If
6 I could just offer a bit of cowboy philosophy maybe.

7 I have no desire to be in Oklahoma
8 City, I have no desire to be in Washington, but I
9 think as a taxpayer, I have the right to expect you
10 gentlemen to use our tax dollars wisely.

11 As an Oklahoman and as an American, I'm
12 very often sick of democrats and republicans, I would
13 like to see Oklahomans and Americans. I think in
14 this decision that Mr. Dominick, as Under Secretary
15 Rey maybe made decisions that show (Inaudible) that
16 (Inaudible) pay our tax dollars.

17 So I would like to personally challenge
18 Secretary Johanns to reprimand -- reprimand Under
19 Secretary Mark Rey and restore Mr. Dominick to his
20 previous position.

21 Thank you.

22 MR. SENG: 79 or 80. 81.

23 MR. GREGORY: 81. Thank you.

24 My name is Robert Gregory,

25 G-r-e-g-o-r-y. I'm from Tulsa, Oklahoma.

0104

1 I just wanted to -- well, I represent
2 Land Legacy, a nonprofit land conservation
3 organization in Oklahoma. I had the honor of
4 attending the White House Cooperative Conservation
5 Conference in 2004 and wanted to just mention a
6 couple of partnerships that are underway in the state
7 that I think embody the principles of that
8 conferences.

9 First in Southwestern Oklahoma our
10 organization is working with the United States Army,
11 also with the NRCS to preserve up to 20 thousand
12 acres of open space around the Army installation
13 getting wonderful technical support as well from the
14 Fish and Wildlife Service as well as the EPA.

15 Our partnership with the NRCS is not
16 limited to the work of Fort Sill, we're working with
17 the NRCS across the state to preserve working farms
18 and ranches and prime soils through the
19 Farmer/Rancher Protection Program.

20 And I would like to echo the comments
21 made previously to restore Darrel Dominick to his
22 position.

23 Working closely as well with the US
24 Fish and Wildlife Service as well as many other
25 partners including the City of Tulsa to preserve open

0105

1 space around Spavina Creek in Northeastern Oklahoma
2 and to protect the endangered species and (Inaudible)
3 bat, excuse me, caves throughout the area. We also
4 help to preserve water quality for the City of
5 Tulsa.

6 Finally we're working with the City of
7 Oklahoma City as well as the EPA, the project that
8 made formally contaminated sites in the inner city
9 and make those productive again.

10 And I appreciate you very much the
11 support we've been getting from our federal
12 partners.

13 Thank you.

14 MR. SENG: Thank you.

15 82 through 85. 86 through 90.

16 What number, sir?

17 MR. WILLIS: 87.

18 My name is Bob Willis, W-i-l-l-i-s.

19 I'm a director of the Nowata County Conservation
20 District. I didn't figure I would stay long today,
21 but I was sitting there thinking that I would like to

22 say something good about what has been done with the
23 conservation program.

24 I've been making a living on the land
25 for 50 years and decided long ago that conservation
0106

1 in our state was a necessity that you have to do if
2 we were going to stay on the land, when we started
3 (Inaudible) several years ago.

4 Well, in Nowata County you may wonder
5 whether (Inaudible) taxpayer's money is justified by
6 what we do. Well, we got a small county in
7 Northeastern Oklahoma. And over the years it's
8 pretty well been proven as I sat and watched -- our
9 county started out as a county that had small farms,
10 cotton farms, small grain farms that are small and a
11 lot of native grass. And this -- over the years
12 (Inaudible) these programs came in grass planting,
13 (Inaudible) and waterways, even though it just paid
14 50 percent, there was a lot of activity. That was
15 enough to justify small landowners coming in and
16 taking care of their property.

17 And from then to now you wouldn't know
18 that from the shape that the county is in, the
19 grasses, it's (Inaudible) soil and water, it's been
20 really worthwhile. (Inaudible) we'd ask to keep
21 funding of this, those projects at that level at
22 least for as long as you can to keep available to the
23 farmers.

24 MR. SENG: Thank you.
25 88 through 95.

0107

1 What number?

2 MR. PRUETT: 89.

3 MR. SENG: 89.

4 MR. PRUETT: My name is Jay Pruett,
5 P-r-u-e-t-t. And I'm director of conservation for
6 the Nation Conservancy of Oklahoma.

7 We'd like to thank you all for having
8 this opportunity for us to provide input into your
9 programs. Just like everybody else in the room, we
10 all know that cooperative conservation is the only
11 way we will achieve successful conservation in
12 Oklahoma or anywhere. So we are very much in favor
13 of that.

14 We already have some terrific
15 partnerships with the US Fish and Wildlife Service
16 through their private stewardship grant program and
17 others, which enable us to do some of the
18 conservation things on the ground that we like to
19 do.

20 We also have some strong partnerships
21 with the Forest Service and with the NRCS that also
22 enable us to do the conservation work that we do on
23 the ground.

24 And I wish Mayor Greene was still here,
25 because we're going to introducing ourselves to the

0108

1 EPA in the very near future to see how we can partner
2 with them on again achieving some conservation here
3 in Oklahoma with funds we may have.

4 I'll make just a couple of brief
5 suggestions and we'll supplement this with written
6 comments later on, as far as how we can take good
7 situations and make them even better. We do need to
8 remove a few barriers to cooperative conservation.
9 One of these would be to remove barriers to prescribe
10 guarding on private lands in Oklahoma whether that's
11 through funding or other mechanisms.

12 One thing we have to address is
13 liability issue with private landowners. So we need
14 to get those kinds of things straightened out both
15 with the federal and state government.

16 Also, one of the primary questions
17 being asked today is how can we do science better.
18 And the way we can do science better in Oklahoma is
19 we need to build a gas and science knowledge. And
20 towards that end, I think it would be good if we
21 could get additional funding for science studies that
22 guide conservation work in Oklahoma.

23 Another thing that would be useful
24 would be for the Fish and Wildlife Service to
25 expedite the development of the consensus guidelines

0109

1 for siting of wind farms in such a way that they
2 would minimize impacts to wildlife, streamlining
3 processes for providing funding, providing funding
4 for conservation easements, support funding of
5 research for beneficial uses of waste products or --
6 or difficult issues. And then finally to seek
7 consensus on issues such as endangered species.

8 Thank you.

9 MR. SENG: Thank you.

10 Number 90. Anyone?

11 MR. PARSON: Good afternoon and thank
12 you for having us here. And thank you for being
13 here.

14 I'm Elton Parsons, E-l-t-o-n,
15 P-a-r-s-o-n-s, from Andover, Kansas, east of
16 Wichita.

17 I am the state representative from
18 (Inaudible), Kansas to the National Association of
19 Home Builders. And we work quite closely with all of
20 you from time to time on our issues. But I think
21 there's some things that -- I'm not going to go into
22 the specifics that I was going to talk about when
23 they've already been talked about.

24 But I think in generality, what we have
25 to do is we have to all of us, and this is Kumbaya

0110

1 type of thing, but it's a -- you know, all of us need
2 to work more toward education on these issues rather
3 than police powering on these issues. We can make
4 all the rules we want to make, but if we don't give

5 somebody an incentive to follow those rules, an
6 incentive other than big fines or something, we need
7 to education people why these rules and regulations
8 need to exist. And if we can do that and have the
9 federal government be involved in that regard and
10 help out in that regard, I think maybe we can make
11 some progress.

12 I don't think there's a bigger, and I
13 may be somewhat prejudice, but I don't think there is
14 a bigger support of conservation than the building
15 industry. It's just -- just commonsense tells you
16 that. Without conserving our resources and without
17 conserving our land, we're out of business. So it's
18 good for our communities, it's good for our
19 individual customers and it's good for business so we
20 do it.

21 And the way we do that is in
22 cooperation with the local communities and state
23 agencies. We've been able to work out a lot of
24 things when we all get together, but when we all
25 stand off and fight our own individual battles,

0111

1 nothing usually gets done.

2 I would call on the federal government
3 and your agencies to work hand and glove with
4 those -- with the kinds of associations that I
5 represent and others here too, to see that dedication
6 becomes a number one issue and not policing.

7 Thank you.

8 MR. SENG: Thank you.

9 94 through 100.

10 MR. MITCHELL: I'm 100.

11 MR. SENG: 100.

12 MR. MITCHELL: My name is MS Mitchell,
13 M-i-t-c-h-e-l-l.

14 I'm the legislative chair from the
15 Kansas Building Industry. I'm a member of the
16 Wichita, Kansas Area Builders Association.

17 I'm going to address two federal
18 agencies that have an impact on the building industry
19 and the maintenance and operation of local drainage
20 facilities in South Central Kansas.

21 Incidentally, this is the closest
22 location for this hearing, the hearing that we have.
23 That's why we're here today.

24 I'm going to mainly address the last
25 bullet you have on the card, and I hope it's not last

0112

1 because of anyone's opinion of the importance,
2 because what it says is how can the federal
3 government better restrict the entrance of people
4 with ownership in land, water and other natural
5 resources. Those are the things I'm going to talk to
6 you about.

7 The agencies are the Federal Flood
8 Insurance Program administered by FEMA. The refusal
9 of Washington DC based staff to recognize the

10 importance of basements in areas of high tornadoes
11 incidence, and to make it easier for local
12 governments to permit construction on structurally
13 floodproof basements under the exception of the
14 current rules and regulations which is there, since
15 my involvement with the Flood Insurance Program
16 beginning in 1970, only two cities in the state of
17 Kansas have that authority. And FEMA has not seen
18 the ability to have local design and construction
19 covering basements in (Inaudible) and they continue
20 to fight us on the process of taking land out of the
21 floodplane, which takes away their jurisdiction and
22 then digging a hole for that land for basement, which
23 takes off the loopholes which is a constant fight
24 with FEMA.

25 The other thing that we have a problem
0113

1 with is the FEMA policy, the review of the
2 application of map change, and there are hundreds in
3 every county, processed by consultants who are
4 headquartered in the Washington DC area, rather than
5 permit that those reviews can be done by FEMA at the
6 regional level or/and by local communities that
7 demonstrate the desire and ability to do those
8 reviews in-house. Although the opportunity for
9 providing local reviews has been promised for more
10 than twenty years, only one agency now has that
11 authority, the Denver Urban Drainage and Flood
12 Control District. And they received it about a year
13 and a half ago. We need more help to get that
14 process moved to the local level.

15 The other thing I would talk a little
16 bit about is the Corps of Engineers Clean Water Act
17 Interpretations --

18 MR. SENG: I'm going to have to
19 interrupt you. I'm sorry.

20 MR. MITCHELL: I'm going to hand you
21 this report for your recordkeeping.

22 MR. SENG: We'll add that. Thank you.
23 101.

24 MS. SMITH: Actually I'm number 97.
25 He's a lot quicker than I am.

0114

1 I'm Mindy Smith, the executive director
2 for the Oklahoma Energy Resources Board, also known
3 as OERB. Our organization is voluntarily funded by
4 Oklahoma's oil and natural gas industry.

5 I would like to talk to you today about
6 our voluntary program as well as some of the
7 partnerships that we have.

8 We are voluntarily funded by the oil
9 and natural gas industry. And part of what we do is
10 clean up abandoned oil and gas exploration production
11 sites around the state. We have restored over 7,000
12 sites, we have put those back into productivity for
13 landowners all across the state. As far as a

14 partnership goes, we work with landowners, we work
15 with royalty owners, we work the oil and natural gas
16 industry, we also work with agencies such as the EPA,
17 the Oklahoma Corporation Commission, the Oklahoma
18 Department of Environmental Quality, the Oklahoma
19 Conservation Commission and there are several others,
20 I could go on and on.

21 But I would like to talk about one
22 project in particular that has been -- that proves
23 great success in our voluntarily efforts as well as
24 our partnership, and that is a project that we are
25 still working on up near Oogogah Lake, where we were

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1 working with the EPA and the OCC, the Oklahoma
2 Corporation Commission. It was actually a project
3 that the Oklahoma Corporation Commission started a
4 couple of years ago and wanted to tackle, but it was
5 too large for them to take on, so they partnered with
6 the EPA and the OERB and our voluntary program to
7 plug abandoned -- those sites around the lake as well
8 as clean its surface.

9 So the EPA and the OCC are plugging
10 wells around Lake Oogogah. And then the OERB, under
11 its voluntarily contributions from the oil and
12 natural gas industry, are coming in behind them and
13 cleaning up all the surface damage. So this is
14 another success story for Oklahoma of the right
15 partnership can work as well as the voluntarily
16 program.

17 Thank you.

18 MR. SENG: Thank you. I'm sorry I
19 passed over you.

20 For your information, we gave out
21 165 cards, so obviously there isn't that many people
22 left, so I plan on going in fives and tens. If
23 someone comes to the mic ahead of you, just shout out
24 or get my attention somehow, I don't mean to pass
25 people over.

0116

1 Number 98, 99 or 100. 101 through 105.

2 MR. JOHNSON: 103.

3 MR. SENG: 103. Thank you.

4 MR. JOHNSTON: My name is Jerry
5 Johnston, Jerry with a J and Johnston with a T.

6 My life -- I better stick to the
7 script. I've been 23 years, a \$10-a-month mayor of
8 this little town Braman, Oklahoma, extreme North
9 Central Oklahoma. I have spend thousands of hours on
10 boards and committees. Probably never been in a room
11 this full in my life. I served on with people that
12 my life has crossed half the people in this room, I'm
13 very blessed to do that. I've served on boards and
14 committees with great people in this room and was
15 lucky enough to be on the original -- in St. Louis in
16 the original meeting, which was tremendous, spent
17 some time with Mayor Greene, which I love that mayor
18 talk, that he still wants to be called mayor.

19 We think our little town has good
20 environmental citizens, but we're in a situation now
21 where we have more rules than a small town can
22 possibly handle and less money. All the grants
23 that -- we've been very good over the years in
24 getting grants, very lucky, very fortunate, very
25 blessed, but the rules are coming down and it costs

0117
1 more money to take more technical assistance. All
2 the things that a town of 244 people don't have.
3 And it's just at my level to protect my
4 people, my citizens' health and welfare, I'm getting
5 to where I just can't do it, there's no money left to
6 do it.

7 MR. SENG: Thank you.
8 Numbers 104 through 110. 111 through
9 120.

10 MR. SPIES: 111, right here.
11 I'm Wayne Spies, S-p-i-e-s. I've got
12 good news to report, I think. This pertains to the
13 Ft. Cobb watershed project. I'm on the board of
14 directors of the West Caddo Conservation District,
15 also the board of directors of the Oklahoma
16 Association of Conservation Districts.

17 The Ft. Cobb Reservoir in Caddo County
18 is a Bureau of Reclamation Lake. It serves many
19 functions, including public water supply, flood
20 protection, recreation and wildlife habitat. Over
21 the years the reservoir has been impacted by sediment
22 and nutrients to the point that some water quality
23 standards can not be met and beneficial uses are
24 reduced. The Oklahoma Department of Environmental
25 Qualities has prepared and EPA has approved a total

0118
1 maximum daily load study that will require 58 percent
2 reduction of loading over time to meet the water
3 quality standards.

4 KMDL also determined risk changes in
5 land management in the watershed in the form of
6 conservation of cropland, pastureland, changes in
7 (Inaudible) practice, other management practices
8 supported by the master conservancy board, have
9 already resumed a 20 percent reduction.

10 We think we have been very successful
11 in this. Our conservation, we've gone to a
12 grassland, no-till pastureland, fencing off street
13 banks and establishing a natural (Inaudible).

14 Our local conservation district has
15 long recognized the agricultural practices have
16 impacted the lake's water quality. In fact, for a
17 number of years the local master conservancy district
18 had provided funds to our conservation district to
19 the best of these practices.

20 Over the last ten years they've given
21 us about \$20,000 a year, which we put above the dam
22 to empty it.

23 More recently we've worked with the

24 Conservation Commission and EPA utilizing funds from
25 Section 319 of the Clean Water Act to target

0119

1 conservation practices in the watershed that can do
2 the most good improving the lake's water quality.

3 For over five years we have worked
4 cooperatively with land managers to improve
5 approximately one million worth of practices in the
6 watershed. And in addition, we have initiated \$2
7 million no-till project to encourage farmers to farm
8 no-till.

9 Working with so many local, federal,
10 state agencies is challenging, but it can be done.
11 Our Ft. Cobb watershed project is tested (Inaudible)
12 address a difficult issue by utilizing a variety of
13 funding sources and agency expertise. I applaud
14 these agencies here today for working together on our
15 watershed to create a positive love and success
16 story.

17 And you that's here haven't been to Ft.
18 Cobb Lake, you haven't seen all of Oklahoma. It's a
19 beautiful facility. Camping and fishing, come and
20 see us.

21 MR. SENG: Thank you. 112 through
22 120. 21 through 30. 31 through 40.

23 MR. ZAMUS: 136.

24 MR. SENG: 136.

25 MR. ZAMUS: My name is Mike Zamus,

0120

1 Z-a-m-u-s, I work for the Oklahoma Department of
2 Wildlife. We've had the distinct pleasure of working
3 cooperatively with our NRCS, Natural Resource
4 Conservation Service. We are a technical service
5 provider agreement to administer the program.

6 As you've heard several times today,
7 the only problem that we've run into is the lack of
8 technical assistance funding, to the point of which
9 we have had instructed all of our staff that they may
10 be laid off.

11 Similar things are happening throughout
12 the counties. We believe that this is a perfect
13 cooperation between our agency and Natural Resource
14 Conservation Service and that it marries agriculture
15 and wildlife, (Inaudible), management, etc.

16 I would also be remiss if I didn't also
17 mention my concern with the rush to find alternative
18 energy and how that might adversely affect the
19 conservation vacancy that is already on the ground
20 (Inaudible).

21 Thank you.

22 MR. SENG: Thank you.

23 MR. SENG: 137 through 145.

24 MR. NUMBENEE: 145. Good afternoon my
25 name is Chongosy (phonetic) (Inaudible) Numbene,

0121

1 N-u-m-b-e-n-e-e. I'm with Langston University. And
2 I'm going to say three things in brief and I'll be

3 submitting my written copies.
4 One is it has been noted to technical
5 assistance, I think that is critical in all of these
6 things that we can do on cooperative conservation.
7 There should be and there must be funds available for
8 the technical assistance. That's number one.
9 Number two, I think in all the
10 regulations and things that have been developed,
11 there should be a way of including, it's not
12 (Inaudible) but something to do with small unlimited
13 resource funds. Because when you think of it, on the
14 (Inaudible). So I think that should be mentioned.
15 Last but not least, I think it's been
16 mentioned several times, in my (Inaudible) as the
17 average director of Langston University, (Inaudible)
18 somebody has been so outgoing in putting conservation
19 of land and using coalitions and partnerships than
20 Darrel Dominick. And for him to be removed from the
21 basis of that I think is ironic that we even talk
22 about cooperative conservation when someone has
23 (Inaudible) has been removed from this position.
24 MR. SENG: Thank you. Number 146
25 through 150. 151 through 160. 161 through 70.
0122

1 Is there anyone who has not spoken who
2 would like to speak into the mic?
3 Mr. SENG: Okay. Then I would offer
4 Regional Director Tuggle, Chancellor, his closing
5 comments.
6 MR. TUGGLE: I think the first thing
7 I'd like to do is to thank all of you for sharing two
8 very important things with the panel that is

9 currently here and my federal partners that had to
10 leave earlier. I've always said that two of the most
11 precious things that you have are time and
12 knowledge. And you have given that to us today and I
13 certainly appreciate that.

14 With that knowledge that you've shared
15 with us comes a little bit of power, because I think
16 that all of us as federal bureaucrats are a little
17 more knowledgeable in terms of what cooperative
18 conservation means to you and kind of how we are
19 trying to frame it in terms as we usually do.

20 Obviously partnerships are extremely
21 important to all of us. And we need to obviously
22 work together to make both of those key principals in
23 terms of conservation and economic development work
24 very closely hand in hand.

25 The things that I've learned today and
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1 as much as have been emphasized today is that we are
2 doing a fairly good job. We have a little bit
3 further to go. And the notes that I have taken from
4 each of the individuals that have spoken along with
5 the transcripts that will be made available to me, I
6 will take them back and we will work with you and see

7 if there is sort of a diamond in the rough in the
8 comments that we've had.
9 And so that in closing what I would
10 like to do is to say very much how much I appreciate
11 you sharing your time and your knowledge with me and
12 allowing us to feel welcome here in Oklahoma.
13 Thank you very much.
14 MR. SENG: The transcripts from this
15 meeting and all of the meetings will be available
16 shortly, I'm not sure how long it's going to take,
17 but on the web site it's on the card that you have.
18 So if you want to go back and see a transcript from
19 this meeting or any other meeting and see what people
20 had to say, please feel free to do that.
21 Please also if you have additional
22 comments that you think of after today, please go to
23 that web site or send in a hard copy or a fax in
24 again on that contact information.
25 I personally would like to thank you

0124

1 for making this meeting run efficiently and thank you
2 for your patience. And I guess on behalf of the
3 Departments of Agriculture and Interior and the
4 Environment Protection Agency, we thank you for your
5 attendance and have a good evening.
6 We stand adjourned.
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1 C E R T I F I C A T E
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4 STATE OF OKLAHOMA)
) SS:
5 COUNTY OF OKLAHOMA)
6
7 I, Jill A. Resetar, CSR for the State of
Oklahoma, certify the listening session was taken by

me in stenotype and thereafter transcribed by computer and is a true and correct transcript of the speakers to the best of my ability; that the listening session was taken on the 30th day of August 2006, at 1:00 p.m., at the Cherokee Strip Conference Center, 123 W. Maine, Enid, Oklahoma; that I am not an attorney for or a relative of either party, or otherwise interested in this action.

Witness my hand and seal of office on the
15th day of September 2006.

Jill A. Resetar, CSR

Oklahoma CSR No. 01734